IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Patent Application of Tackbary :	Examiner: Pond, Robert M.
Serial No.: 09/525,491 :	Group Art Unit: 3625
Filed: March 15, 2000 :	Docket No.: 013212.0118N3US (formerly 9203/031c3)
For: Method and Apparatus for Communicating with a Card Distribution Center for Selecting, Ordering, and Sending Social Expression Cards :	Confirmation No.: 9815

Certificate of Mailing Under 37 C.F.R. 1.10

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Aug. 9, 2004
_____
Date

Elaine Von Spreckelsen
_____
Elaine VonSpreckelsen

MAIL STOP APPEAL BRIEF – PATENTS
Commissioner For Patents
P.O. Box 1450
Alexandria, Va 22313-1450

Dear Sir:

APPELLANT'S APPEAL BRIEF

Appellant's Appeal Brief was timely filed pursuant to 37 C.F.R. §1.192 because it was filed within two months of June 7, 2004, which is the Office date of receipt of the notice of appeal.

Appellant believes that the claims appealed are patentable as argued in the Brief. If the Examiner has any questions concerning Appellant's Brief or the Arguments presented in the Brief and feels that an interview pursuant to MPEP sections 713.05 and 713.09 may be helpful in resolving the issues on appeal, attorneys for the Appellant would urge the Examiner to contact the attorneys for Appellant to arrange such an interview, even if the refiling of this application is necessary for this purpose.

Appellant's attorneys respectfully solicit the Board to remand this case to the Examiner with instructions to allow the case pursuant to 37 C.F.R. §1.197(a).

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List of References

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reference and the Mailing List Management reference

9.) APPENDIX

Claims

List of References

U.S. Patent No. 4,994,926 issued to Gordon et al.

U.S. Patent No. 5,552,994 issued to Cannon.

Hayes Reference (Paper #7, PTO-892, Item U)

Chartock Reference (Paper #7, PTO-892, Items V)

Mailing List Reference (Paper #7, PTO-892, Items W and X)

OUTLINE OF APPEAL BRIEF

1.) REAL PARTY IN INTEREST

37 C.F.R. §1.192(c)(1) requires Appellant to identify the real party in interest. The party named in the caption of the Brief is Hallmark Cards, Inc.

A full list of inventors is: Wesley DeWayne Lindquist and Dan G. Friedrich.

The subject matter of the invention was derived from research efforts undertaken by Hallmark Cards at the Hallmark Cards facilities in Kansas City, MO.

The inventor assigned the invention to Hallmark Cards Inc., located at 2501 McGee Trafficway, Kansas City, MO 64108. The assignment was submitted to the Commissioner of Patents and Trademarks with an accompanying recordation cover sheet signed February 11, 2000. The assignment was recorded at reel/frame 10630/0518.

The real party of interest is accordingly Hallmark Cards, Inc. because Hallmark Cards, Inc. owns the entire right, title and interest to the present invention.

2.) RELATED APPEALS AND INTERFERENCES

37 C.F.R. §1.192(c)(2) requires Appellant to identify by serial number and filling date all appeals and interferences known. Currently, no appeals or interferences are known by any party.

3.) STATUS OF THE CLAIMS

37 C.F.R. §1.192(c)(3) requires the Appellant to give the current status of all claims in the prosecution. Claims 45-80 are pending. In a Final Office Action dated February 26, 2004, the Examiner rejected claims 45, 50-53, 57, 62-65, 69, and 74-77 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,552,994 issued to Cannon et al ("the Cannon patent"), in view of U.S. Patent No. 4,994,926 issued to

Gordon et al. ("the Gordon patent"). Claims 46-47, 58-59, and 70-71 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Cannon patent and the Gordon patent as applied to claims 45, 57, and 69 and in further view of Official Notice (regarding express couriers). Claims 48-49, 60-61, and 72-73 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Cannon patent and the Gordon patent, as applied to claims 45, 57, and 69, and in further view of the Hayes reference. Claims 54-56, 66-68, and 78-80 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Cannon patent and the Gordon patent, as applied to claims 45, 57, and 69, and in further view of Chartock The Appellant appeals the final rejection of claims 45-80.

4.) STATUS OF AMENDMENTS

37 C.F.R. 1.192(c)(4) requires the Appellant's Brief to provide a statement of the status of any amendment filed subsequent to the Final rejection. No amendment has been filed subsequent to the Final rejection.

5.) SUMMARY OF THE INVENTION

37 C.F.R. 1.192 (c)(5) requires Appellant to give a summary of the invention. The pending claims define a customer order initiation system that is directed to a centralized e-commerce system which enables a consumer, from any computer terminal, to populate a database with an address book comprising a plurality of recipient data records, then link the recipient data with social expression card data to facilitate the on-going management, selection, and delivery of social expression cards. The consumer has the ability to access the data to permit said customer to initiate the delivery of social expression cards by said order fulfillment center to a plurality of said recipients. Thus, the consumer can execute a transaction that addresses the social expression needs for a plurality of recipients and a plurality of occasions, with the system maintaining a database to reflect the complex nature of the consumer's social expression needs and to facilitate the on-going management, selection, and delivery of social expression cards.

In addition, the system allows the consumer to access the databases after placing the order and the capability to order multiple social expression cards for multiple recipients in the same session. The system provides a customer interface to permit a customer to access the data and that enables the user to access, edit, and approve order information that had been previously entered into the system. The system displays

digitized images of the cards on a display screen which are retrieved from a card database. From the cards displayed, the user can select cards for designated recipients and enter personalized messages and a digitized signature. The user may then send the order to a card distribution center, which processes the order, retrieves and prints the selected card images, including any user messages or user signature, and mails the cards to designated recipients or customers. The system maintains a database of all recipients, addresses, associated occasions and dates, card preferences, relationships and order history.

6.) ISSUE

37 C.F.R. §1.192(c)(6) requires the Appellant to state all the issues on appeal. There are four issues on appeal and they should all be reversed. First, whether the final rejection of claims 45, 50-53, 57, 62-65, 69, and 74-77 under 35 U.S.C. §103(a) as being unpatentable over the Cannon patent in view of the Gordon patent should be reversed. Second, whether the final rejection of claims 46-47, 58-59, and 70-71 under 35 U.S.C. §103(a) as being unpatentable over the Cannon patent and the Gordon patent as applied to claims 45, 57, and 69, and further in view of Official Notice should be reversed. Third, whether the final rejection of claims 48-49, 60-61, and 72-73 under 35 U.S.C. §103(a) as being unpatentable over the Cannon patent and the Gordon patent, as applied to claims 45, 57, and 69, and in further view of the Hayes reference should be reversed. Fourth, whether the final rejection of claims 54-56, 66-68, and 78-80 under 35 U.S.C. §103(a) as being unpatentable over the Cannon patent and the Gordon patent as applied to claims 45, 57, and 69, and in further view of the Chartock reference and the Mail List Management reference should be reversed.

Appellant submits that the 35 U.S.C. §103(a) rejection of claims 45-80 set forth in the Final Office Action, dated February 26 2004, fails to set forth a prima facie showing of obviousness because:

(1) the Examiner has failed to cite and apply references which contain all of the claimed elements or limitations of Appellant's claimed invention, and

(2) the Examiner has not shown where the prior art, the nature of the problem to be solved, or the knowledge of those skilled in the art provide any motivation or suggestion to combine elements in the prior art relied upon by the Examiner to

render the claimed invention obvious, and instead has relied upon hindsight to reconstruct Appellant's claimed invention from the prior art.

7.) GROUPING OF CLAIMS

Group   **Claims That Stand or Fall Together**

I   45-80

37 C.F.R. 1.192(c)(7) requires the Appellant to groups the claims in the application for appeal purposes. The Appellant groups the claims into a single group. Group I contains claims 45-80, which are directed to a system for communicating with a card distribution center for selecting, ordering, and sending social expression cards using a personal computer.

8.) ARGUMENT

I. Examiner's Position - Rejection under 35 U.S.C. §103(a) – The Cannon Patent in view of the Gordon Patent

The Examiner rejected claims 45, 50-53, 57, 62-65, 69, and 74-77 under 35 U.S.C. §103(a) as being unpatentable over the Cannon patent in view of the Gordon patent, noting with respect thereto:

> Cannon et al. teach a system, method, means, databases, and programs for viewing, ordering, and printing social expression cards for customers who remotely order greetings cards over a computer network. Cannon et al. teach printing cards at the user location or at remote locations, a database defining the layout of selected cards by occasion (e.g. Birthday), displaying graphical images, personalizing messages, transacting multiple cards orders, recipient information, envelop printing, and delivery modes. Cannon et al. teach a an order information database, multiple modes of delivery (e.g. mail or delivered as noted in prior art), order information storage and retrieval, and unique order identifiers to retrieve orders (see at least abstract; Fig. 1 (15, 19); Fig. 3 (40, 50); 3A (36); Fig. 18 (52, 54, 66, 67, 68); col. 1; line 15 through col.5, line 39). Cannon et al. teach storing order information in at least one database, the data in the order information database including recipient data records for a customer, the data in the order information database including recipient data records for a customer, and each recipient data records containing data that defines a recipient, and logically linking order information with card image, personalized messages, receiver and sender data, and order status data (see at least Fig. 19 (70, 71); col. 17, lines 3-8; lines 22-25; col. 18, lines 29-31). Cannon et al. teach linking the recipient data with social expression card data containing data which defines at least one social expression card, and forming linked data (see at least Fig. 19 (71, 72, 73); col. 18, lines 29-31).

Cannon et al. further teach the following:

- Providing a customer interface to access databases and image files stored in a central data storage unit which may be accessed at a card display/order site facility and a card printing facility (see at least Fig.18 (65, 66); col. 4 lines 56-59),

- Assigning each customer order with a unique order code and the order code being stored in the order information database and retrieved by the card printing facility for processing (see at least Fig. 19 (74); col. 4, lines 6-8; col. 18, line 59),

- Receiving an order initiated by a customer transmitting the order to a card printing site (see at least col. 17, lines 22-25;),

- Printing and shipping cards ordered by a customer or multiple customers, with order information stored in an order information database (see at least Fig. 19 (70, 71); Fig. 20b (79, 80)),

- Updating the order information to reflect the date the orders was processed and shipped (see at least fig. 19 (85, 86); col. 19, lines 63-65), and

- Noting a known problem of card purchasers not remembering what card designs they have previously sent someone and being concerned about sending duplicates of cards previously sent (see col. 3, lines 50-55).

Cannon et al. teach all the above as noted under the 103(a) rejection and teach a) linking recipient data with greeting card data, b) the customer accessing the system to initiate delivery of a greeting card by a fulfillment center to a recipient, c) storing data in at least one database the information containing recipient data for said customer, and d) a plurality of recipient greeting card orders being placed into a order information database for daily processing (see at least Fig. 19 (70,71); Fig. 20(b) (79, 80); col. 18, lines 34-36, 42-45; col. 19, lines 17-22), but are unclear as to whether the plurality of recipient data in the order information database belongs to the same sender. Gordon et al. teach a pertinent problem of providing a more practical means of initiating delivery of information to a plurality of recipients. Gordon et al. teach providing a practical means for fax machine users to automatically fax documents to multiple destinations, and further teach this as an advantage since it only ties up a broadcast user's machine for one outgoing transmission (see at least col. 3, lines 48-58). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method of Cannon et al. to provide a more practical means of initiating delivery to a plurality of recipients in a single process as taught by Gordon et al., in order to eliminate singly repeated start and stop processes associated with each separate greeting card order, and thereby attract more customers to the service due the additional convenience.

II.   Appellant's Characterization of the Cannon Patent

In referring to the Cannon patent, the Examiner mistakenly notes that the Cannon patent is capable of: "Providing a customer interface to access databases and image files stored in a central data storage unit which may be accessed at a card display/order site facility and a card printing facility (see at least Fig. 18 (65, 66); col. 4, lines 56-59)".

In fact, the Cannon patent discloses a kiosk-based card ordering system where the user can only order a single card for a single recipient in a single transaction from a terminal, either a kiosk, personal computer, or cable television set-top box. The preferred embodiment of the system for printing social expression cards disclosed in the Cannon patent consists of a personal computer-based card kiosk which enables a user to select and order a single greeting card from a remotely located card printing facility, using the personal computer-based card kiosk to access a database of card designs. The database of card designs can be located in the kiosk or at the printing facility. One significant limitation of the Cannon system for printing social expression cards is that it is a single transaction card purchase system that does not provide the user with the capability to store data relating to: multiple recipients, recipient addresses, recipient occasions, order history, order status. This single card focus is succinctly described in the Cannon patent: "The user can order a selected card to be printed and input information to personalize the card. The order is then electronically transmitted to a card printing facility for printing." (column 4, lines 64-67) The user's transaction for the printing of a single card for a single recipient is processed by the printing facility of the Cannon system and the data, input by the user relating to the recipient and the occasion, are thenceforth unavailable to the user, since the Cannon patent fails to even hint at maintaining a consumer accessible database of consumer information that enables a consumer to populate a database with a plurality of recipient data records. In addition, the Cannon Patent is totally devoid of even a hint of printing multiple cards pursuant to the single card order entry transaction. Thus, the focus of the Cannon system for printing social expression cards is exclusively to print a single social expression card for a single recipient via a transaction-based public kiosk, with all of the data input by the user being transient in nature: input by the user, transmitted to the card printing facility and forever beyond the reach of the user and discarded once it is used to print the card.

The Examiner mistakenly noted: "Cannon et al teach .... transacting multiple card orders", and a careful reading of the entirety of the Cannon patent fails to reveal even a hint of the ability to initiate more than a single card order in a transaction or the ability to order multiple cards in any mode in the single transaction. The Examiner then notes that the Cannon patent also suggests "Noting a known problem of card purchasers not remembering what card designs they have previously sent someone and being concerned about sending duplicates of cards previously sent". However, it is interesting to note that the Cannon patent is totally devoid of any suggestion of how to address this problem, since the consumer is unable to access any data stored or processed by the Cannon system once the initial order is placed. The above-noted rhetorical comment in the Cannon patent is not a disclosure of any teaching of how to solve the problem articulated and therefore does not constitute prior art for the purposes of an obviousness rejection of Appellant's claims.

III. Appellant's Characterization of the Gordon Patent

The Gordon patent discloses a centralized fax store and forward system that functions to receive a fax transmission from an originating machine, then automatically process the transmission to ensure delivery to the listed destination. The Gordon fax forwarding system automatically retries the fax transmission without the need for the originating party's intervention, until delivery is accomplished. The fax can be automatically transferred from a fax forwarding node closest to the originating machine to a fax forwarding node closest to the destination machine, so that the retry process is implemented only on the last segment of the fax transmission path, thereby saving network resources.

As specifically recited in the Gordon patent, column 2, lines 49-68 and column 3, lines 1-2:

> The basic approach is to provide special computer-based fax Store And Forward Facilities (SAFF's) as an integral part of a switched telephone network system. All fax transmissions entered into the network are routed to such a facility, typically geographically near the originating machine, where they are temporarily stored or "spooled" by the computer in a mass storage buffer, such as a magnetic disk.

> The fax message from the originating machine is intended for a destination

machine, which may or may not be in a position to immediately answer the call. If the destination machine is within the service region of that SAFF, the system then proceeds to attempt to call the destination fax machine. If the destination machine is within the service area of a different SAFF, the system forwards the fax document data to that facility by long-distance lines, in which case this second facility attempts to call the destination machine. In either case, if contact is established and the message is delivered immediately, the system directs a printed report back to the originating fax machine confirming delivery to the destination machine, and other pertinent data.

.....

Placing the delivering spooling system geographically near the destination machine has the advantage of more economical use of any long-distance lines that may be involved. These lines are used only to move the message from the originator to the spooling system in the vicinity of the destination, which is virtually certain to be successful on the first try. Subsequent attempts to contact the destination machine can be handled more or less locally and need not tie up the bulk of the long-distance facilities.

...

An important feature of the system is that it recognizes all of the documents that are spooled in the system at a given time for a given destination machine. These are identified and linked together to form a message queue for that machine. In this way, once contact is established, all of the waiting messages can be "dumped" to that machine in a continuous batch. Furthermore, if new messages arrive while that dump is occurring, they are simply appended to the end of the active queue and are transmitted when their turn comes. This has the advantage of greatly enhancing the utilization efficiency of a busy destination machine.

Since all outgoing fax documents are temporarily stored at the facility near the originating machine, it is also practical to provide for automatic broadcasting of documents to multiple destinations. Lists of "broadcast groups" of phone numbers can be programmed into the facility by users, or a list of destination phone numbers entered "by hand" at the time of a call. The SAFF can then broadcast the message to every machine of the selected list. This is a great advantage to broadcast users in that they need only tie up their machines for one outgoing transmission, the one to the SAFF. The SAFF copies the message to all of the destination machines as outlined above. In the meantime, the originating machine is available for receiving or transmitting other documents.

Thus, the fax store and forward system of the Gordon patent simply is a telephone network queuing system that makes more efficient use of the network resources.

IV.   Appellant's Position

In contrast, Appellant's social expressions management system is a centralized e-commerce system which enables a consumer, from any computer terminal, to populate a database with an address book comprising a plurality of recipient data records, then link the recipient data with social expression card data to facilitate the on-going management, selection, and delivery of social expression cards. The consumer has the ability "to **access the data** to permit said customer to initiate the delivery of social expression cards by said order fulfillment center **to a plurality of said recipients**." Thus, the consumer can execute a **transaction** that addresses the social expression needs **for a plurality of recipients and a plurality of occasions, with Appellant's system maintaining a database to reflect the complex nature of the consumer's social expression needs** and to facilitate the on-going management, selection, and delivery of social expression cards.

This ability to store a plurality of recipient data records, then link the recipient data with social expression card data to facilitate the on-going management, selection, and delivery of social expression cards to facilitate the on-going management, selection, and delivery of social expression cards and enable the consumer to order social expression cards for a plurality of recipients is not even hinted at by the Cannon patent or the Gordon patent, yet is specifically recited in Appellant's independent claim 45, for example:

> A method for initiating fulfillment of a consumer order in a system where a consumer communicates with an order fulfillment center, the method comprising the steps of:
> storing data in at least one database, the data including a plurality of recipient data records for said customer, each of said customer's recipient data records containing data which defines a recipient;
> linking the recipient data with social expression card data, containing data which defines at least one social expression card, thereby forming linked data to facilitate the on-going management, selection, and delivery of social expression cards; and
> providing a customer interface to permit said customer to access the

data to permit said customer to initiate the delivery of social expression cards by said order fulfillment center to a plurality of said recipients.

In fact, in support of Appellant's position, the Examiner asserts that Cannon "do not disclose the customer accessing the databases to make a change to an order." The Examiner focuses on the initial order entry capability of the system of the Cannon patent, which order entry capability represents a standard mode of placing a one time, single recipient order commonly used by such systems. However, there is no support for the Examiner's position that the Cannon patent suggests the ability of the consumer to access the databases after placing the order, or the capability to order multiple social expression cards for multiple recipients in the same session, since the Cannon patent is completely devoid of even a hint of "providing a customer interface to permit said customer to access the data" as is specifically recited in Appellant's independent claim 45. The printing facility 40 of the Cannon patent is described in excruciating detail (column 14, line 45 - column 15, line 33), including the minutiae of implementation details of the keyboard, mouse, processor, hard drives, modems, software, printer, etc., including a recitation of the most minor product implementation details of each and every element. However, it is important to note that **NO REFERENCE is made to a USER INTERFACE** anywhere in the specification, drawings or claims (in particular, see Figure 3a, Figure 19, Figure 21 and accompanying descriptions) of the Cannon patent that would enable the user to access, edit and approve order information that had been previously entered into the system as is suggested by the Examiner. In fact, the Cannon patent teaches away from this concept, since the printing facility is equipped only with a FAX MODEM (SupraFAXModem V.32bis) to enable order receipt from the various display/order systems 50. The Cannon patent describes numerous ways for the consumer to fill out and order form via kiosks, cable television systems, personal computer systems, fax forms, and the like, however, once the order form is transmitted to the Cannon printing facility, it is beyond the reach of the consumer, since the Cannon system has no user interface, only a modem for receiving completed card orders.

In addition, the Gordon patent does not even hint at a system that can be used for order entry or the purchase of consumer goods. The Gordon patent simply teaches a fax store and forward capability for implementation in communication networks.

Therefore, the system of the Gordon patent is inapplicable to any structure recited in Appellant's claims.

V. Discussion of Lack of Prima Facie Obviousness

The courts and the MPEP state that to reject a claim for obviousness under 35 U.S.C. §103(a), the Examiner must make a prima facie showing of obviousness before the burden shifts to the Appellant to prove non-obviousness.

Appellant believes that the Examiner has not made a prima facie showing of obviousness for the claimed invention under 35 U.S.C. §103(a). The prior art relied upon by the Examiner must disclose all of the claim elements or limitations in order to make a prima facie showing of obviousness. Also, the MPEP and courts have stated that the Examiner must show the following:

1.) a motivation or suggestion to combine references, 2.) A reasonable expectation of success from combining the references, and 3.) the combined references teach all of the limitations of the claimed invention. MPEP 706.02(j); See also In re Vaeck, 20 USPQ2d 1438 (Fed. Cir. 1991).

If any of these requirements are not met, the combination of the references does not establish a prima facie showing of obviousness for the claimed invention. The Examiner has not met any of the requirements of this test.

VI. Comparison of the Claims with the Prior Art Illustrating the Failure of the Prior Art to Disclose Key Claimed Elements or Limitations

Regarding independent claims 45, 57, and 69 on appeal, claim 45 is the broadest independent claim and is illustrative of claims 57 and 69 for the purposes of this appeal. The following analysis of the claims is summarized in claim chart form with regard to the independent claim 45, since independent claims 57 and 69 are analogous in scope. All of the remaining claims depend on independent claims 45, 57, and 69 and are therefore distinguishable over the prior art in the same manner as the independent claims and specifically independent claim 45.

VII Claim Chart

The following claim chart compares Appellant's claim 45 with the cited Cannon patent and the Gordon patent that were noted above and relied upon by the Examiner in

the rejection of claim 45, with the elements not shown in the cited Cannon patent and the Gordon patent being underlined. The failure of these references to teach all of the elements recited in claim 45 (and analogous limitations in independent claims 57 and 69) supports Appellant's position that the Examiner has failed to make a prima facie showing of obviousness under 35 U.S.C. §103(a), thereby rendering claims 45-80 allowable.

Appellant's Claim 45

A method for initiating fulfillment of a consumer order in a system where a consumer communicates with an order fulfillment center, the method comprising the steps of:

storing data in at least one database, the data including a plurality of recipient data records for said customer, each of said customer's recipient data records containing data which defines a recipient;

Cannon Patent

"This invention provides a system for ordering and printing social expression cards that includes a database preparation system, a number of card printing facilities, and a plurality of card display/order facilities." (Col. 4, Lines 21-24)

"The processed order information for each order 71 is then automatically stored in the order information database 70 in the format shown in FIGS 1 and 20(a), and 20(b)." (Col. 18, Lines 29-30)

"The resulting order information is automatically stored in the order information database 70." (Col. 18, Lines 34-35)

"Each processed order is stored by the order processing program in the order information database 70 for subsequent processing as generally outlines in FIG. 21." (Col. 18, Lines 41-45)

"Order information, to be transmitted to a card printing location, may be entered by customers in a variety of ways. Using one preferred method, a card identification name (or code) is entered by a customer on a printed order form 51 along with personalization information, mailing addresses, preferred card delivery date, and other order information." (Col. 17, Lines 3-8)

"After order information is entered by a customer, the customer initiates the order transmission process by, for example, responding to a displayed prompt. (Col. 17, Lines 22-25)

Gordon Patent

"...is to provide special computer-based fax Store and Forward Facilities (SAFF's) as an integral part of a switched network system." (Col. 2, Lines 49-52)

Does not teach storing data in at least one database, the data including a plurality of recipient data records for said customer, each of said customer's recipient data records containing data which defines a recipient.

Appellant's Claim 45 (Cont.)

Cannon Patent (Cont.)

Gordon Patent (Cont.)

"The processed order information for each order 71 is then automatically stored in the order information database 70 in the format shown in FIGS 1 and 20(a), and 20(b)." (Col. 18, Lines 29-30)

linking the recipient data with social expression card data, containing data which defines at least one social expression card thereby forming linked data to facilitate the on-going management, selection, and delivery of social expression cards; and

"Order information, to be transmitted to a card printing location, may be entered by customers in a variety of ways. Using one preferred method, a card identification name (or code) is entered by a customer on a printed order form 51 along with personalization information, mailing addresses, preferred card delivery date, and other order information." (Col. 17, Lines 3-8)

Does not teach linking the recipient data with social expression card data, containing data which defines at least one social expression card, thereby forming linked data to facilitate the on-going management, selection, and delivery of social expression cards.

"The processed order information for each order 71 is then automatically stored in the order information database 70 in the format shown in FIGS 1 and 20(a), and 20(b)." (Col. 18, Lines 29-30)

providing a customer interface to permit said customer to access the data to permit said customer to initiate the delivery of social expression cards by said order fulfillment center to a plurality of said recipients.

"Alternatively, the databases and image files may be stored in a central data storage unit which may be accessed by the card display/order facilities and the card printing facilities." (Col. 4, Lines 56-59)

Does not teach providing a customer interface to permit said customer to access the data to permit said customer to initiate the delivery of social expression cards by said order fulfillment center to a plurality of said recipients.

VIII.   Lack of Motivation or Suggestion to Combine References

In order to meet the first of the above-noted three requirements by the MPEP for prima facie obviousness, the following must be shown: 1.) one or more references, 2.) The references were available to the inventor at the time of the claimed invention, 3.) each of the references teaches an element of the claimed invention, 4.) the prior art contains a suggestion or a motivation to combine the references, 5.) the combination of the references would have made the invention obvious. See In re Rinehart, 189 USPQ 143, 147 (C. C. P. A. 1976); In re Fine, 5 USPQ2d 1596, 1598 (Fed. Cir 1988); In re Fitch, 23 USPQ2d 1780, 1783 (Fed. Cir. 1992).

Discussion of the deficiencies in these five factors in the Examiner's rejection:

With regards to the Cannon and Gordon patents and in reference to factors 1.)-3.), neither the Cannon nor the Gordon patent teach all of the recited elements of Appellant's claims. Further, as noted above, the Examiner admits that the Cannon patent "do not disclose the customer accessing the databases to make a change to an order." The Examiner has therefore attempted to supply the elements not shown or suggested by the Cannon patent based on the teachings of the Gordon patent. However, as noted above, the Gordon patent does not even hint at a system that can be used for order entry or the purchase of consumer goods. The Gordon patent simply teaches a fax store and forward capability for implementation in communication networks. Therefore, the system of the Gordon patent is inapplicable to any structure recited in Appellant's claims.

Thus, the Examiner provides no motivation or suggestion for combining the cited knowledge of the Cannon and the Gordon patent to render Appellant's claimed invention obvious. An essential evidentiary showing by the Examiner of a suggestion or motivation to combine the prior references relied upon in a manner that would render the claimed invention obvious has not been made. In re Rouffet, 47 U.S.P.Q. 2d 1453 (Fed. Cir. 1998); C.R. Bard, Inc. v M3 Systems, Inc. 48 U.S.P.Q. 2d 1225 (Fe. Cir. 1998).

Appellant believes that the Gordon patent represents non-analogous art in that this reference is directed to a different field than Appellant's customer order initiation system to the extent that it does not address problems that are at all related to each other and the Gordon reference is not at all related to the problem that Appellant solved. Appellant's customer order initiation system is directed to a centralized e-commerce system which enables a consumer, from any computer terminal, to populate a database

with an address book comprising a plurality of recipient data records, then link the recipient data with social expression card data to facilitate the on-going management, selection, and delivery of social expression cards. The consumer has the ability "to access the data to permit said customer to initiate the delivery of social expression cards by said order fulfillment center to a plurality of said recipients." Thus, the consumer can execute a transaction that addresses the social expression needs for a plurality of recipients and a plurality of occasions, with Appellant's system maintaining a database to reflect the complex nature of the consumer's social expression needs and to facilitate the on-going management, selection, and delivery of social expression cards.

In contrast, the Gordon patent does not even hint at a system that can be used for order entry or the purchase of consumer goods. The Gordon patent simply teaches a fax store and forward capability for implementation in communication networks. Therefore, the system of the Gordon patent is inapplicable to any structure recited in Appellant's claims.

The courts and the MPEP state that to be available as prior art to an inventor, a reference must either be in the field of the inventor's endeavor or reasonably pertinent to the specific problem with which the inventor was involved. See 2141.01(a)

> i.   The courts have stated:

> In resolving the question of obviousness under 35 U.S.C. 103 we do not presume full knowledge by the inventor of all the prior art in the field of endeavor, we only presume full knowledge by the inventor of all the prior art in the field of his endeavor. However, with regard to prior art outside of his endeavor, we only presume knowledge for those areas reasonably pertaining to the particular problem for which the inventor is involved. The rationale behind this rule precluding rejections based on combinations of teachings of references of nonanalgous arts is the realization that an inventor cannot possibly be aware of everything in the art. In re Wood, 220 USPQ 171, 174 (C.C.P.A. 1979) See also In re Oetiker, 24 USPQ2d 1443, 1445 (Fed. Cir 1992).

A reference reasonably pertains to the problem solved by the inventor only if the reference teaches a solution to a problem faced by the inventor, which in Appellant's case is the customer order initiation system. The courts state a reference reasonably pertains to a problem if:

> the matter with which it [the reference] deals, logically would have commended itself to the inventor's attention in considering his problem.... If a reference disclosure has the same purpose as a claimed invention, the

invention relates to the same problem.... If directed to a different purpose, the inventor would accordingly have less motivation or occasion to consider it. In re Clay, 23 USPQ2d 1058, 1060-1061 (Fed. Cir. 1992).

As noted in In re Clay, 23 USPQ2d 1058-1061:

> "Two criteria have evolved for determining whether prior art is analogous: (1) whether the art is from the same field of endeavor, regardless of the problem addressed, and (2) if the reference is not within the field of the inventor's endeavor, whether the reference still is reasonably pertinent to the particular problem with which the inventor is involved. In re Deminiski, 796 F.2d 436, 442, 230 USPQ 313,315(Fed. Cir. 1986); In re Wood, 599 F.2d 1032, 1036, 202 USPQ 171, 174 (CCPA 1979)."

In Re Oetiker 24 U.S.P.Q.2d 1443, 977 F.2d 1443 (Fed.Cir.1992) further addressed the problem:

> In this case, Oetiker's invention was an improvement in a "stepless, earless" metal clamp, a hose clamp that was generally described in an earlier '004 patent of Oetiker, but that differs in the presence of a feature that is described as a preassembly "hook". This "hook" serves both to maintain the preassembly condition of the clamp and to be disengaged automatically when the clamp is tightened. Each claim of Oetiker's patent was rejected under Sec. 103.

> The cited references were Oetiker's earlier-granted '004 patent, combined with a certain Lauro '400 patent. Lauro describes a plastic hook and eye fastener for use in garments, in which "unitary tabs of sewing needle puncturable plastic material . . . are affixable to clothing and the like by sewing". Oetiker argued that there is no suggestion or motivation to the artisan to combine the teachings of the cited references, and that Lauro is nonanalogous art. Oetiker contended that these references were improperly combined; that a person of ordinary skill, seeking to solve the problem facing Oetiker, would not look to the garment art for the solution. Oetiker also argues that even if combined the references do not render the claimed combination obvious.

> The examiner stated that "since garments commonly use hooks for securement", a person faced with the problem of unreliable maintenance of the pre-assembly configuration of an assembly line metal hose clamp would look to the garment industry art. The examiner explained further by stating that "Appellant's device as disclosed could be utilized as part of a garment". The Board did not repeat or support the examiner's argument, or discuss its relevance. (The Federal Circuit commented that "Indeed, the argument is not supportable.") However, the Board held that the Lauro reference, although not "within the appellant's specific field of endeavor" is nonetheless "analogous art" because it related to a hooking problem, as did Oetiker's invention.

Before the Federal Circuit, the Commissioner argued that "all hooking problems are analogous." In his appellate brief, the Commissioner stated that "A disengageable catch, such as that used by Oetiker, is a common everyday mechanical concept that is variously employed in door latches and electrical and other switches, as well as in the hook and eye apparatus disclosed by Lauro". No such references were cited, however. The Court noted that it may take judicial notice of common everyday mechanical concepts in appropriate circumstances, but stated that the Commissioner did not explain why a "catch" of unstated structure in an electrical switch, for example, is such a concept and would have made Oetiker's invention obvious. In fact, the Commissioner did not respond to Oetiker's argument that the cited references provide no teaching or suggestion that Lauro's molded hook and eye fastener, even if combined with Oetiker's '004 clamp, would achieve Oetiker's purpose.

The Federal Circuit concluded that the references were improperly combined and reversed the rejection of Oetiker's claims. The Court stated:

"In order to rely on a reference as a basis for rejection of the applicant's invention, the reference must either be in the field of the applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned. See In re Deminski, 796 F.2d 436, 442, 230 USPQ 313, 315 (Fed. Cir. 1986). Patent examination is necessarily conducted by hindsight, with complete knowledge of the applicant's invention, and the courts have recognized the subjective aspects of determining whether an inventor would reasonably be motivated to go to the field in which the examiner found the reference, in order to solve the problem confronting the inventor. We have reminded ourselves and the PTO that it is necessary to consider "the reality of the circumstances", In re Wood, 599 F.2d 1032, 1036, 202 USPQ 171, 174 (CCPA 1979) -- in other words, common sense -- in deciding in which fields a person of ordinary skill would reasonably be expected to look for a solution to the problem facing the inventor."

"It has not been shown that a person of ordinary skill, seeking to solve a problem of fastening a hose clamp, would reasonably be expected or motivated to look to fasteners for garments. The combination of elements from non-analogous sources, in a manner that reconstructs the applicant's invention only with the benefit of hindsight, is insufficient to present a prima facie case of obviousness. There must be some reason, suggestion, or motivation found in the prior art whereby a person of ordinary skill in the field of the invention would make the combination. That knowledge can not come from the applicant's invention itself. Diversitech Corp. v. Century Steps, Inc., 850 F.2d 675, 678-79, 7 USPQ2d 1315, 1318 (Fed. Cir. 1988); In re Geiger, 815 F.2d 686, 687, 2 USPQ2d 1276, 1278 (Fed. Cir. 1987); Interconnect Planning Corp. v. Feil, 774 F.2d 1132, 1147, 227 USPQ 543,

551 (Fed. Cir. 1985)."

> "Oetiker's invention is simple. Simplicity is not inimical to patentability. See Goodyear Tire & Rubber Co. v. Ray-O-Vac Co., 321 U.S. 275, 279, 60 USPQ 386, 388 (1944) (simplicity of itself does not negative invention); Panduit Corp. v. Dennison Mfg Co., 810 F.2d 1561, 1572, 1 USPQ2d 1593, 1600 (Fed. Cir.) (the patent system is not foreclosed to those who make simple inventions), cert. denied, 481 U.S. 1052 (1987)."

Further:

> "Even though the art disclosed in Sydansk is not within Clay's field of endeavor, the reference may still properly be combined with Hetherington if it is reasonably pertinent to the problem Clay attempts to solve. In re Wood, 599 F2d at 1036, 202 USPQ at 174. A reference is reasonably pertinent if, even though it may be in a different field from that of the inventor's endeavor, it is one which, because of the matter with which it deals, logically would have commended itself to an inventor's attention in considering his problem. Thus, the purposes of both the invention and the prior art are important in determining whether the reference is reasonably pertinent to the problem the invention attempts to solve. If a reference disclosure has the same purpose as the claimed invention, the reference relates to the same problem, and that fact supports the use of that reference in an obviousness rejection."

Thus, the Gordon patent is related to a communication network system used for fax forwarding and does not at all relate in any manner to a centralized e-commerce system which enables a consumer, from any computer terminal, to populate a database with an address book comprising a plurality of recipient data records, then link the recipient data with social expression card data to facilitate the on-going management, selection, and delivery of social expression cards. The Gordon patent is totally devoid of any hint of the field of e-commerce, or the ability of a customer to create a centralized address book that can be used to facilitate the on-going management, selection, and delivery of social expression cards. Thus, applying the rules articulated by the courts, the Gordon patent clearly represents non-analogous art and is therefore not available as prior art to an inventor. Thus, the Examiner's 35 U.S.C. §103(a) rejection of Appellant's claims using the Gordon patent is inappropriate and should be withdrawn.

The prior art applied by the Examiner fails to contain a suggestion or a motivation to combine the references or render Appellant's claimed invention obvious.

With respect to MPEP Requirements 4.) and 5.) noted above, the courts and the

MPEP have stated that a motivation to combine references must be found in the prior art. See MPEP 2143.01

> Obviousness cannot be established by combining teachings of the prior art to produce the claimed invention absent some teaching suggesting or incentive supporting the combination. In re Geiger, 2 USPQ2d 1276, 1278 (Fed. Cir. 1987)

The courts have further stated that the motivation or combination must be shown in the prior art.

> In order to combine references, there must be some suggestion or motivation for doing so in the prior art either in the references themselves or elsewhere. In re Jones, 21 USPQ2d 1941, 1942 (Fed. Cir. 1992)

The courts have further stated:

> The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggests the desirability of the modification. In re Fritch, 23 USPQ2d 1780, 1783-1784 (Fed. Cir. 1992).

The Examiner states a belief that it would be obvious to combine the teachings of the two cited references, but fails to indicate any suggestion contained within the references themselves or elsewhere that would support this conclusion, and overlooks the specific teaching away from Appellant's claimed invention by the Cannon and Gordon patents, as noted above. If any combination of the Cannon and Gordon patents were proper (and it is not), it would not result in the Appellant's claimed invention. In addition, the Examiner may not employ hindsight to provide a reason, suggestion, or motivation to combine the prior art references.

IX.   No Suggestion to Combine – Hindsight Needs to Be Avoided

A brief examination of "hindsight" law as handed down by the Federal Circuit superimposed upon the facts of this case will be helpful. The hindsight approach was criticized in *W.L. Gore & Associates, Inc. v. Garlock, Inc.,* 220 USPQ 303, 312-313 (Fed. Cir. 1983):

> "To imbue one of ordinary skill in the art with knowledge of the invention in suit, when no prior art reference or references of record convey or suggest that knowledge, is to fall victim to the insidious effect of a hindsight syndrome wherein that which only the inventor taught is used against its teacher."

The Federal Circuit repeated its prohibition against "hindsight." In *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 5 USPQ 2d 1434, 1438, 1439 (CAFC 1988), the Federal Circuit held:

> "When prior art references require selective combination by the court to render obvious a subsequent invention, <u>there must be some reason for the combination other than the hindsight</u> gleaned from the invention itself." Something in the prior art as a whole must suggest the desirability, and thus the obviousness, of making the combination.

*   *   *   *   *

> There is no suggestion in any individual prior art reference of such a combination of location and configuration nor is it suggested by the prior art as a whole. ([I]t is impermissible to use the claims as a frame and the prior art references as a mosaic to piece together a facsimile of the claimed invention). (Emphasis added; citations omitted)

The proper approach to an obviousness analysis was explained as follows:

> "In order to prevent a hindsight-based obviousness analysis, we have clearly established that the relevant inquiry for determining the scope and content of the prior art is whether there is a reason, suggestion, or motivation in the prior art or elsewhere that would have led one of ordinary skill in the art to combine the references. *See, e.g., In re Rouffet, 149 F.3d 1350, 1359, 47 USPQ2d 1453, 1459 (Fed.Cir.1998)* ("[T]he Board must identify specifically .... The reasons one of ordinary skill in the art would have been motivated to select the references and to combine them to render the claimed invention obvious."); *In re Dembiczak, 175 F.3d at 999, 50 USPQ2d at 1617* ("Our case law makes clear that the best defense against the subtle but powerful attraction of a hindsight-based obviousness analysis is rigorous application of the requirement for a showing of the teaching or motivation to combine prior art references."). <u>*Ruiz v. A.B. Chance Co.*</u>, 234 F.3d 654, 664-5, 57 U.S.P.Q.2d 1161 (Fed. Cir.2000).

Specific demonstration of a motivation to combine is required.

> "The district court opinion does not discuss any specific evidence of motivation to combine, but only makes conclusory statements. "Broad conclusory statements regarding the teaching of multiple references, standing alone, are not 'evidence.'" *Dembiczak, 175 F.3d at 999, 50 USPQ2d at 1617.*" *Ecolochem, Inc. v. Southern California Edison Co., 227 F.3d 1361, 1372, 56 U.S.P.Q.2d 1065 (Fed.Cir.2000).*

In applying the hindsight test, the Examiner has failed to show: "4.) the prior art contains a suggestion or a motivation to combine the references,", since in fact, both the Cannon patent and the Gordon patent teach away from the combination suggested by the Examiner. The absence of even a hint of a user interface contradicts the Examiner's

suggestion that with respect to the Cannon patent "it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system and method of Cannon et al. to allow customer access to order data once entered to review or modify the order."

Furthermore, the Examiner has shown no combination of references that address Appellant's claimed structure wherein a consumer can execute a **transaction** that addresses the social expression needs **for a plurality of recipients and a plurality of occasions, with Appellant's system maintaining a database to reflect the complex nature of the consumer's social expression needs** and to facilitate the on-going management, selection, and delivery of social expression cards. This ability to store a plurality of recipient data records, then link the recipient data with social expression card data to facilitate the **on-going management**, selection, and delivery of social expression cards and enable the consumer to **order social expression cards for a plurality of recipients** is *not even hinted at by the Cannon patent or the Gordon patent*, yet is specifically recited in Appellant's independent claim 45, for example.

Thus, Appellant believes that claims 45, 50-53, 57, 62-65, 69, 74-77 are allowable under 35 U.S.C. §103(a) over U.S. Patent No 5,552,994 issued to Cannon in view of U.S. Patent No. 4,994,926 issued to Gordon, since the Cannon patent and the Gordon patent both fail to show or suggest the limitations recited in these claims and in fact teach away from the modifications suggested by the Examiner. All of the remaining claims depend on independent claims 45, 57, and 69 and are therefore distinguishable over the prior art in the same manner as the independent claims and specifically independent claim 45.

X. Examiner's Position - Rejection under 35 U.S.C. §103(a) – The Cannon Patent and the Gordon Patent in further view of Official Notice

The Examiner rejected claims 46-47, 58-59, and 70-71 under 35 U.S.C. §103(a) as being unpatentable over the Cannon patent and the Gordon patent as applied to claims 45, 57, and 69, and further in view of Official Notice, noting with respect thereto:

> Cannon et al. and Gordon et al. teach all the above as noted under the 103(a) rejection and further teach using mail or other purchaser delivery, but do not specifically disclose indicating to the customer multiple modes of delivery. This examiner takes the position that it is old and well-known that consumers and businesses use express couriers as alternative modes of mail or package delivery under circumstances where urgent delivery is required to meet a certain delivery date or to expedite delivery once past a

certain delivery date. Therefore it would have been obvious to one of ordinary skill in the art at time of invention to modify the system, method, and means of Cannon et al. and Gordon et al. to provide the customer with multiple modes of delivery as taught by Official Notice, in order to better meet customer delivery requirements, and thereby attract repeat customers.

XI. Appellant's Position

Appellant believes that claims 46-47, 58-59, and 70-71 are allowable under 35 U.S.C. §103(a) over U.S. Patent No 5,552,994 issued to Cannon and U.S. Patent No. 4,994,926 issued to Gordon patent as applied to claims 45, 57, and 69, and further in view of Official Notice, since the Cannon patent and the Gordon patent both fail to show or suggest the limitations recited in these claims and in fact teach away from the modifications suggested by the Examiner. All of the remaining claims depend on independent claims 45, 57, and 69 and are therefore distinguishable over the prior art in the same manner as the independent claims and specifically independent claim 45.

XII. Examiner's Position - Rejection under 35 U.S.C. §103(a) – The Cannon Patent and the Gordon Patent in further view of the Hayes reference

The Examiner rejected claims 48-49, 60-61, and 72-73 under 35 U.S.C. §103(a) as being unpatentable over the Cannon patent and the Gordon patent, as applied to claims 45, 57, and 69, and in further view of the Hayes reference noting with respect thereto:

> Cannon et al. and Gordon et al. teach all the above as noted under the 103(a) rejection and further electronic shopping, ordering, and delivering social expression cards remotely or from a greeting card shop, but do not disclose selecting a gift to be included with the card. Hayes teaches Bullock & Jones combining a gift with a card selected through a mail-order catalog shopping service that offers various forms of electronic shopping to better service customers. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the system and method of Cannon et al. and Gordon et al. to provide a card and gift combination at taught by Hayes, in order to provide electronic shoppers a social occasion service capable of providing customers with a complete gift purchasing and card giving service emulating, catalog services or in-store experiences, and thereby attracting more customers to the site.

XIII. Appellant's Position

Appellant believes that claims 48-49, 60-61, and 72-73 are allowable under 35 U.S.C. §103(a) over the Cannon patent and the Gordon patent as applied to claims 45,

57, and 69, and further in view of the Hayes reference, since the Cannon patent and the Gordon patent both fail to show or suggest the limitations recited in these claims and in fact teach away from the modifications suggested by the Examiner. All of the remaining claims depend on independent claims 45, 57, and 69 and are therefore distinguishable over the prior art in the same manner as the independent claims and specifically independent claim 45.

XIV. Examiner's Position - Rejection under 35 U.S.C. §103(a) – The Cannon Patent and the Gordon Patent in further view of the Chartock reference and the Mailing List Management reference

The Examiner rejected claims 54-56, 66-68, and 78-80 under 35 U.S.C. §103(a) as being unpatentable over the Cannon patent and the Gordon patent, as applied to claims 45, 57, and 69, and in further view of the Chartock reference and the Mailing List Management reference, noting with respect thereto:

> Cannon et al. and Gordon et al. teach all the above as noted under the 103(a) rejection and teach a) desktop publishing systems (e.g. Pagemaker, QuarkXpress) allowing users to create custom publication, newsletters, brochures, b) using desktop publishing systems to create custom greeting cards, invitations, and business cards (see at least col. 2, lines 39-47), and c) using a mail management program (col. 18, line 25), but do not disclose the use of a mailing list of recipients or importing a mailing list. Chartock teaches desktop publishing and word processing being unified, and further teaches desktop publishing and word processing being unified, and further teaches mail list management being integrated into desktop publishing-word processing products (see Item: V, page 1). Mail List Management teaches List&Mail, a mail list manager that allows users to create separate sub-lists with addresses drawn from the main file list (see Item: W, pages 8-9), and importing mail lists from external sources (e.g. Label Master, List Pro II, Mail-Track-II) (see at least Item: W, pages 7, 10, and 12). Mail List Management teaches desktop publishing systems to create newsletters and mailing lists comprising employees, potential customers, sales representatives, distributors, editors of appropriate business or trade publications, and influential friends and colleagues (see Item: X, pages 1-2). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the system and method of Cannon et al. and Gordon et al., to provide mail list application management features that support list creation, management, and list importation as taught by Chartock and Mail List Management, in order to provide more convenience to the customer in managing recipient lists, and thereby attract more customers to the site.

XV. Appellant's Position

Appellant believes that claims 54-56, 66-68, and 78-80 are allowable under 35 U.S.C. §103(a) over the Cannon patent and the Gordon patent as applied to claims 45, 57, and 69, and further in view of the Chartock reference and the Mailing List Management reference, since the Cannon patent and the Gordon patent both fail to show or suggest the limitations recited in these claims and in fact teach away from the modifications suggested by the Examiner. All of the remaining claims depend on independent claims 45, 57, and 69 and are therefore distinguishable over the prior art in the same manner as the independent claims and specifically independent claim 45.

Appellant has carefully reviewed the Cannon patent and the Gordon patent, as well as the Examiner's comments. Appellant provides the following arguments in order to traverse the Examiner's rejections of claims 45-80.

The Appellant disagrees with the Examiner's 35 U.S.C. §103(a) rejection of claims 45-80 as being unpatentable because the Examiner failed to establish a prima facie case of obviousness of Appellant's claimed invention for the following two reasons:

A. The Examiner has failed to cite and apply prior art which contain all of the claimed elements or limitations of Appellant's claimed invention.

B. The Examiner has failed to identify any motivation or suggestion to combine elements from the prior art to render the claimed invention obvious, and instead has relied upon hindsight to reconstruct Appellant's claimed invention from the prior art.

None of the prior art relied upon by the Examiner in the rejection of claims 45-80 contain the following elements or limitations contained in all the claims:

1.) storing data in at least one database, the data including a plurality of recipient data records for said customer, each of said customer's recipient data records containing data which defines a recipient; or

2.) linking the recipient data with social expression card data, containing data which defines at least one social expression card, thereby forming linked data to facilitate the on-going management, selection, and delivery of social expression cards; and

3.) providing a customer interface to permit said customer to access the data to permit said customer to initiate the delivery of social expression cards by said

order fulfillment center to a plurality of said recipients.

The cited Cannon and Gordon patents fail to show or suggest a customer order initiation system that is directed to a centralized e-commerce system which enables a consumer, from any computer terminal, to populate a database with an address book comprising a plurality of recipient data records, then link the recipient data with social expression card data to facilitate the on-going management, selection, and delivery of social expression cards. The consumer has the ability to access the data to permit said customer to initiate the delivery of social expression cards by said order fulfillment center to a plurality of said recipients. Thus, the consumer can execute a transaction that addresses the social expression needs for a plurality of recipients and a plurality of occasions, with Appellant's system maintaining a database to reflect the complex nature of the consumer's social expression needs and to facilitate the on-going management, selection, and delivery of social expression cards.

Further, the Cannon and Gordon patents fail to show or suggest Appellant's system's ability to allow the consumer to access the databases after placing the order and the capability to order multiple social expression cards for multiple recipients in the same session. Finally, the Cannon and Gordon patents fail to show or suggest Appellant's system's ability to provide a customer interface to permit a customer to access the data and that enables the user to access, edit, and approve order information that had been previously entered into Appellant's system.

The Examiner has also not identified any suggestion or motivation in the cited prior art, or the prior art generally, or from the knowledge of those skilled in the art, or the nature of the problem to be solved, for combining the cited prior art applied in a manner to render Appellant's claimed invention obvious.

XVI. Summary

For the above cited reasons, the Examiner has failed to provide a prima facie showing of obviousness with respect to the structure claimed by Appellant in claim 45, 57, and 69 and the Appellant requests the 35 U.S.C. §103(a) rejection of claims 45, 57, and 69 be removed. The remaining claims 46-56, 58-68, and 70-80 are claims either dependent on claims 45, or dependent on analogous independent claims 57 and 69 and are allowable over the cited Cannon and Gordon patents, in further view of Official Notice, the Hayes reference, the Chartock reference, and the Mail List Management

reference for the same reasons as articulated above with respect to Appellant's claims 45, 57, and 69. In addition, the Examiner has failed to provide a prima facie showing of obviousness with respect to the structure claimed by Appellant in claims 45-80, and the Examiner has practiced hindsight engineering to reject these claims based upon a combination of the references.

In summary, Appellant believes that claims 45, 50-53, 57, 62-65, 69, and 74-77 are allowable under 35 U.S.C. §103(a) as being patentable over the Cannon patent in view of the Gordon patent; claims 46-47, 58-59, and 70-71 are allowable under 35 U.S.C. §103(a) as being patentable over the Cannon patent and the Gordon patent as applied to claims 45, 57, and 69 and in further view of Official Notice (regarding express couriers); claims 48-49, 60-61, and 72-73 are allowable under 35 U.S.C. §103(a) as being patentable over the Cannon patent and the Gordon patent, as applied to claims 45, 57, and 69, and in further view of the Hayes reference; and claims 54-56, 66-68, and 78-80 are allowable under 35 U.S.C. §103(a) as being patentable over the Cannon patent and the Gordon patent, as applied to claims 45, 57, and 69, and in further view of the Chartock reference. The Appellant appeals the final rejection of claims 45-80.

Appellant therefore respectfully requests a Notice of Allowance in this application in light of the amendments and arguments set forth herein. The undersigned attorney requests Examiner Pond to telephone if a conversation could expedite prosecution. Appellant authorizes the Commissioner to charge any additionally required payment of fees to deposit account #50-1848.

Respectfully submitted,

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9.) APPENDIX

45.   A method for initiating fulfillment of a consumer order in a system where a consumer communicates with an order fulfillment center, the method comprising the steps of:

storing data in at least one database, the data including a plurality of recipient data records for said customer, each of said customer's recipient data records containing data which defines a recipient;

linking the recipient data with social expression card data, containing data which defines at least one social expression card, thereby forming linked data to facilitate the on-going management, selection, and delivery of social expression cards; and

providing a customer interface to permit said customer to access the data to permit said customer to initiate the delivery of social expression cards by said order fulfillment center to a plurality of said recipients.

46.   The method for initiating fulfillment of a consumer order of claim 45 further comprising the step of:

providing said customer with data indicative of a plurality of methods by which delivery of said social expression card to a recipient can be effected.

47.   The method for initiating fulfillment of a consumer order of claim 46 further comprising the steps of:

receiving data from said customer indicative of a one of said plurality of methods of delivery selected by said customer; and

providing said customer with an indication when said selected method of delivery fails to effect delivery of said social expression card to said recipient by a delivery date indicated by said customer.

48.   The method for initiating fulfillment of a consumer order of claim 45 further comprising the step of:

providing said customer with data indicative of a plurality of gifts which may be included with said social expression card; and

wherein said step of providing a customer interface permits said customer to initiate the delivery of at least one of said plurality of gifts by said order fulfillment center to at least one of said plurality of said recipients.

49.   The method for initiating fulfillment of a consumer order of claim 48 further comprising the step of:

receiving data from said customer indicative of said at least one of said plurality of gifts selected by said customer; and

scheduling delivery of said social expression card and said selected gift in coordination with a customer defined delivery date.

50.   The method for initiating fulfillment of a consumer order of claim 45 wherein said step of linking comprises:

enabling selection of multiple social expression cards for a single recipient, said multiple social expression cards being for at least two occasions.

51.   The method for initiating fulfillment of a consumer order of claim 50 further comprising the step of:

enabling said customer to select delivery dates for each of said multiple social expression cards.

52.   The method for initiating fulfillment of a consumer order of claim 45 wherein said step of linking comprises:

enabling selection of an individually selected social expression card for each of a plurality of recipients.

53.   The method for initiating fulfillment of a consumer order of claim 52 further comprising the step of:

enabling said customer to select delivery dates for each of said individually selected social expression cards.

54.   The method for initiating fulfillment of a consumer order of claim 45 wherein

said step of linking comprises:

enabling selection of a single social expression card for a mailing list of recipients for single occasion.

55. The method for initiating fulfillment of a consumer order of claim 54 wherein said step of storing data comprises:

managing said plurality of recipient data records for said customer in at least one mailing list representative of a subset of said plurality of recipient data records for said customer.

56. The method for initiating fulfillment of a consumer order of claim 54 wherein said step of storing data comprises:

importing a plurality of recipient data records for said customer into said database from an external source of data records.

57. A system for initiating fulfillment of a consumer order in a system where a consumer communicates with an order fulfillment center, comprising:

means for storing data in at least one database, the data including a plurality of recipient data records for said customer, each of said customer's recipient data records containing data which defines a recipient;

means for linking the recipient data with social expression card data, containing data which defines at least one social expression card, thereby forming linked data to facilitate the on-going management, selection, and delivery of social expression cards; and

means for providing a customer interface to permit said customer to access the data to permit said customer to initiate the delivery of social expression cards by said order fulfillment center to a plurality of said recipients.

58. The system for initiating fulfillment of a consumer order of claim 57 further comprising:

means for providing said customer with data indicative of a plurality of methods by which delivery of said social expression card to a recipient can be effected.

59. The system for initiating fulfillment of a consumer order of claim 58 further comprising:

means for receiving data from said customer indicative of a one of said plurality of methods of delivery selected by said customer; and

means for providing said customer with an indication when said selected method of delivery fails to effect delivery of said social expression card to said recipient by a delivery date indicated by said customer.

60. The system for initiating fulfillment of a consumer order of claim 57 further comprising:

means for providing said customer with data indicative of a plurality of gifts which may be included with said social expression card; and

wherein said means for providing a customer interface permits said customer to initiate the delivery of at least one of said plurality of gifts by said order fulfillment center to at least one of said plurality of said recipients.

61. The system for initiating fulfillment of a consumer order of claim 60 further comprising:

means for receiving data from said customer indicative of said at least one of said plurality of gifts selected by said customer; and

means for scheduling delivery of said social expression card and said selected gift in coordination with a customer defined delivery date.

62. The system for initiating fulfillment of a consumer order of claim 57 wherein said means for linking comprises:

means for enabling selection of multiple social expression cards for a single recipient, said multiple social expression cards being for at least two occasions.

63. The system for initiating fulfillment of a consumer order of claim 62 further comprising:

means for enabling said customer to select delivery dates for each of said multiple

social expression cards.

64.   The system for initiating fulfillment of a consumer order of claim 57 wherein said means for linking comprises:

means for enabling selection of an individually selected social expression card for each of a plurality of recipients.

65.   The system for initiating fulfillment of a consumer order of claim 64 further comprising:

means for enabling said customer to select delivery dates for each of said individually selected social expression cards.

66.   The system for initiating fulfillment of a consumer order of claim 57 wherein said means for linking comprises:

means for enabling selection of a single social expression card for a mailing list of recipients for a single occasion.

67.   The system for initiating fulfillment of a consumer order of claim 66 wherein said means for storing data comprises:

means for managing said plurality of recipient data records for said customer in at least one mailing list representative of a subset of said plurality of recipient data records for said customer.

68.   The system for initiating fulfillment of a consumer order of claim 66 wherein said means for storing data comprises:

means for importing a plurality of recipient data records for said customer into said database from an external source of data records.

69.   A system for initiating fulfillment of a consumer order in a system where a consumer, using a terminal device, communicates with an order fulfillment center via a communication network, said order fulfillment system comprising:

database means for storing data, said data including a plurality of recipient data

records for said customer, each of said customer's recipient data records containing data which defines a recipient;

data linking means for linking the recipient data with social expression card data, containing data which defines at least one social expression card, thereby forming linked data to facilitate the on-going management, selection, and delivery of social expression cards; and

customer interface means for providing said customer with access to said data to permit said customer to initiate the delivery of social expression cards by said order fulfillment center to a plurality of said recipients.

70. The order fulfillment system of claim 69 further comprising:

order delivery means for providing said customer with data indicative of a plurality of methods by which delivery of said social expression card to a recipient can be effected.

71. The order fulfillment system of claim 70 further comprising:

delivery mode means for receiving data from said customer indicative of a one of said plurality of methods of delivery selected by said customer; and

customer alert means for providing said customer with an indication when said selected method of delivery fails to effect delivery of said social expression card to said recipient by a delivery date indicated by said customer.

72. The order fulfillment system of claim 69 further comprising:

gift selection means for providing said customer with data indicative of a plurality of gifts which may be included with said social expression card; and

wherein said customer interface means permits said customer to initiate the delivery of at least one of said plurality of gifts by said order fulfillment center to at least one of said plurality of said recipients.

73. The order fulfillment system of claim 72 further comprising:

gift selection means for receiving data from said customer indicative of said at least one of said plurality of gifts selected by said customer; and

gift delivery means for scheduling delivery of said social expression card and said selected gift in coordination with a customer defined delivery date.

74.   The order fulfillment system of claim 69 wherein said data linking means comprises:

multiple card order means for enabling selection of multiple social expression cards for a single recipient, said multiple social expression cards being for at least two occasions.

75.   The order fulfillment system of claim 74 further comprising:

card scheduling means for enabling said customer to select delivery dates for each of said multiple social expression cards.

76.   The order fulfillment system of claim 69 wherein said data linking means comprises:

multiple card order means for enabling selection of an individually selected social expression card for each of a plurality of recipients.

77.   The order fulfillment system of claim 76 further comprising:

card scheduling means for enabling said customer to select delivery dates for each of said individually selected social expression cards.

78.   The order fulfillment system of claim 69 wherein said data linking means comprises:

multiple card order means for enabling selection of a single social expression card for a mailing list of recipients for a single occasion.

79.   The order fulfillment system of claim 78 wherein said database means comprises:

mailing list means for managing said plurality of recipient data records for said customer in at least one mailing list representative of a subset of said plurality of recipient

data records for said customer.

80.   The order fulfillment system of claim 79 wherein said means for storing data comprises:

data transfer means for importing a plurality of recipient data records for said customer into said database from an external source of data records.

00639323 92-54263
1992 American Catalog Awards - Apparel Over $100: Bullock & Jones: A Simple Story Well Told
Hayes, Lynn

ABSTRACT: Bullock & Jones' **Holiday** 1991 edition is no exception to the company's continuing commitment to excellence, capturing the 1992 American Catalog Awards' Silver Award in Apparel Over $100 category. Bullock & Jones is virtually without peer in the fine menswear market. One of the catalog's consistently strong points is its flawless design and production. As usual, Bullock & Jones uses no models for its merchandise presentation, but features beautifully styled off-figure shots, either silhouetted or squared off against a neutral background. Each catalog spread has excellent eyeflow, according to the judging panel. The merchandise assortment, too, scores high with the judges. The only problem, one judge says, is that it is sometimes difficult to relate copy blocks to the merchandise, particularly when a group of products is shown together and alphakeyed only in the corner of the photograph, not directly on the item itself.

TEXT: There have been a lot of changes in the catalog business since the American Catalog Awards first began, but one thing that has remained constant is Bullock & Jones. Year after year, this catalog of fine clothing and accessories for men follows its market, not the current fad; it chooses high quality over high sell; it eschews hyperbole in favor of understatement.

The **Holiday** 1991 edition is no exception to the company's continuing commitment to excellence, capturing the Silver Award in Apparel Over $100. Bullock & Jones ·is virtually without peer in the fine menswear market.

One of the catalog's consistently strong points is its flawless design and production. Photographic detail, enhanced by outstanding color separations, printing and paper, is superb: On a pair of black velvet slippers, for example, each stitch of the embroidered foxhead design in delicate gold thread is clearly visible. Each minute on the face of a Bullock & Jones watch can be counted, each marking on its lizard band traced.

Readers can practically feel the variations in texture in each article of merchandise--the softness of a lambskin suede cardigan, for example, the crispness of an oxford tab-collar shirt, the plushness of the fleece lining in a shearling vest, or the silkiness of the paisley trim on a wool robe.

FLATS WITH DIMENSION

As usual, Bullock & Jones uses no models for its merchandise presentation, but features beautifully styled off-figure shots, either silhouetted or squared off against a neutral background. Products are shown both singly and in merchandise assortments, grouped together in attractive spreads according to function and color, and showcased in abundant white space. Monochromatic pallettes are enlivened by an additional coordinating hue.

One spread, for instance, entitled "Superb Naturals, Well-Bred Casuals in the Finest of Fibers," features a collection of comfortable weekend clothing: a tan camel's hair jacket; a crewneck sweater patterned with shades of blue, rust and amber against a deep brown background; two pairs of corduroy slacks--one in beige, the other in cognac; a light blue chambray shirt; and a pair of demi-boots in a deeper tone of cognac. Next to this coordinated clothing ensemble is a vicuna English lambskin blazer and an autumn-toned tie.

"Creatively, this book is very well put together," says a panelist. "Bullock & Jones has some of the best 'flats' in the business."

Each catalog spread also has excellent eyeflow, according to the judging panel. "Every spread has a feature item that draws you into it initially," says one judge. "Then you're able to look at all the other items without distraction. So many catalogs try to put too many products on a page. Bullock & Jones never does that."

"I can't think of one suggestion to improve the elegant and understated presentation," says another judge.

MERCHANDISE FITS THE MARKET

The merchandise assortment, too, scores high with the judges. The 44-page **holiday** catalog features a well-chosen array of classic, contemporary clothing and accessories for men, opting for quality over quantity. The company understands that its customers expect it to have the best merchandise, not the most.

Prices are high--$1,195 for a mink-collar topcoat, for example, $1,350 for a lambskin blouson, or $1,395 for a Bradford suede jacket. Wardrobe essentials are also expensive--a button-down cotton shirt priced at $85, a wool robe at $350, or a glen plaid sport coat at $795.

But, according to the judges, the high price tags are matched with high quality, and the merchandise is geared to men with incomes to support their discerning taste.

"Bullock & Jones knows its audience," says one of the judges. "The company is the leading-edge merchandiser to the upscale men's market."

"The excellent quality of the merchandise is obvious," a second judge adds.

Copy that romances the merchandise, therefore, would be superfluous. And Bullock & Jones wisely pares down its copy to the bare facts about each product, then adds just a touch of its own sophisticated style.

A camel's hair cable crewneck, for example, "is a sure-to-please classic, essential in a gentleman's casual wardrobe. Knitted in Scotland of soft, two-ply yarns. Sizes M, L, XL, XXL."

The only problem, one judge says, is that it's sometimes difficult to relate copy blocks to the merchandise, particularly when a group of products is shown together and alpha-keyed only in the corner of the photograph, not directly on the item itself.

THE NAME MEANS SERVICE

In the area of service, Bullock & Jones capitalizes on its name. As the cover notes, the company has been in business since 1853. Its longstanding tradition of satisfying customers is explained on the order form insert: "Since 1853, we've been committed to offering our customers the very finest in men's apparel from the world's top makers."

Its guarantee takes the same authoritative tone: "If, for any reason," it reads, "you or your **gift** recipient are not happy with a purchase, please return it (in new condition, please) within 30 days. We will exchange the item or give you full credit or a refund...."

Although judges would like to see the catalog's 800 number sprinkled more frequently throughout the book, they note that it is displayed prominently on the order form, and praise the order form itself for its simplicity and clean design--"customer friendly," as one judge puts it. There is plenty of space for each line item, and service policies, merchandise availability, delivery information, and shipping and handling costs are clearly defined. The panel also likes Bullock & Jones's extra customer service feature of offering a free gift box and card with the customer's message, and its

invitation to "shop with confidence" by phone, mail, fax or at its retail store in San Francisco.

COVER LACKS DRAMA

The cover, however, is not completely to the judges' liking. They compliment Bullock & Jones for the eye-catching use of its distinguished logo, which runs boldly in red type from bottom to top along the left-hand side of the page. They also agree that the cover photo--a black, paisley-trimmed robe hung casually over a high-back chair, a pair of velvet slippers resting comfortably on the floor beside it, and a glass-topped table under an antique mirror on the wall behind it--is visually stunning.

"It projects elegance and quality," a judge observes, who nonetheless agrees with another judge who points out, "there isn't enough of a holiday feeling to it." Aside from the red logo in the foreground and the small, untied red ribbon draped loosely around an opened gift box in the background, "there's nothing that tells me this is a holiday book," according to the judge. "It isn't really special."
"The cover lacks drama and impact," another panelist adds.

They also fault the catalog slightly for its absence of institutional copy. While Bullock & Jones customers are certainly familiar with the company's image, prospects receiving the catalog might have trouble determining exactly what the company stands for or the caliber of merchandise the catalog contains, the judges comment.

Neverthess, they agree, Bullock & Jones, as in years past, is definitely worthy of honors in this category. As one judge sums up, "Bullock & Jones owns this market, as far as I'm concerned."

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01236769   SUPPLIER NUMBER: 06284624   (THIS IS THE FULL TEXT)
Word processing and DTP being unified: emerging trend. (desktop
  publishing **)**
Chartock, David S.
Computer & Software News, v6, n9, p55(1)
Feb 29, 1988
ISSN: 0745-5291   LANGUAGE: ENGLISH   RECORD TYPE: FULLTEXT; ABSTRACT
WORD COUNT: 462   LINE COUNT: 00039

ABSTRACT: With word processing and **desktop   publishing** becoming more
intertwined, software developers are responding to the demand for
integrated software packages that offer both word processing and **desktop
publishing** features. The two newest software packages in this category are
Lifetree's Total Word and WordPerfect's Wordperfect 5.0. Each package
offers page previewing functions, typefaces, and such high-end word
processing features as a thesaurus and spelling checker dictionary. Total
Word features newspaper-style columns, redline, strikeout, and comments
functions. Wordperfect 5.0 features line and box drawing, multiple column
display, and Hercules RAM Font support. Both Lifetree and WordPerfect feel
the **desktop   publishing** functions in their respective products will
satisfy most user requirements.
TEXT:
        Word processing and DPT being unified
        NEW YORK -- As the worlds of **desktop   publishing** and word
processing become more intertwined, software developers are moving to meet
the demand for integrated software packages that offer both word processing
and **desktop   publishing** features.
        This view, proffered by Pam Bliss, an analyst with Dataquest, the
market research company headquartered in San Jose, Calif., is reflected by
vendors entering this emerging market including Lifetree and Wordperfect,
the two newest entries in this evolving category.
        Alan Ashton, president of Wordperfect, Orem, Utah, said before word
processors and **desktop   publishing** programs were integrated, the user
had to buy both, and switch back and forth between them to achieve the
desired results.
        In addition, added Camilo Wilson, chairman of Lifetree, Monterey,
Calif., an integrated program saves the user the cost of a page layout
program, which usually costs between $495-$695.
        Lifetree's program, Total Word, and WordPerfect 5.0 are each retail
priced at $495, and both vendors believe the **desktop   publishing**
functions in their programs will satisfy most under requirements.
        Each of these programs offer page previewing functions, typefacrs and
highend word processing features that include a Theasurus and spelling
checker dictionary.
        Total Word feawtures font management, and the ability to adapt itself
to any printer. It also has built in typefaces plust Postscript, Wilson
added.
        Lifetree's program offers newspaper-style columns, redline, strikeout
and comments functions, **mail   list   management** , macros, file
management , forms printing and math functions.
        WordPerfect 5.0 does not feature Postscript, but a Postscript driver
instead. "We've been working closely with Adobe and our Postscript driver
will provide Postscript at the printer-end," Ashton claims.
        Wordperfect program also offers line and box drawing and multiple
column display as well as Hercules RAM Font support, Ashton said.
        Total Word is "already customized for scientific and engineering
markets because it also has a built-in 450-character-symbol set. It also
includes foreign language fonts for French, Greek, German and Spanish,"
Wilson said.
        Upgrades to version 5.0
        WordPerfect is offering an upgrade program to version 5.0. Recent
buyers of WordPerfect 4.2 will get 5.0 free and those who purchased it
before February can upgrade for $50.
        Both vendors are targeting a portion of their installed base as

prospective customers.

    • Lifetree's VolksWriter has an installed base of 250,000, Wilson claims, and the chairman noted that the company hopes to sell 20,000 copies of Total Word by year end.

    Ashton claims WordPerfect's installed base is 500,000 to 1 million users, and he would like 20 percent to 40 percent of tha installed base to upgrade to WordPerfect 5.0.

    Total Word will be sold through resellers and through distributors.

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SPECIAL FEATURES: illustration; photograph
COMPANY NAMES: Lifetree Software Inc.--Product introduction; WordPerfect
 Corp.--Product introduction
DESCRIPTORS: DTP Software; New Product; Word Processing; Market Analysis;
 Trends
SIC CODES: 7372 Prepackaged software
TRADE NAMES: WordPerfect 5.0 (Word processing software)--Product
 introduction; Total Word (Word processing software)--Product introduction
FILE SEGMENT: CD File 275

01211233   SUPPLIER NUMBER: 04739025   (THIS IS THE FULL TEXT)
Client List. (Software Review) (mailing - list   managers) **(evaluation)**
Brown, Bruce
PC Magazine, v6, n6, p205(2)
March 31, 1987
DOCUMENT TYPE: evaluation   ISSN: 0888-8507   LANGUAGE: ENGLISH
RECORD TYPE: FULLTEXT; ABSTRACT
WORD COUNT: 15602   LINE COUNT: 01175

ABSTRACT: The $35 Client List mailing-list software package sold by Navic
Software is a simple program written in BASIC that has a 250-name limit.
The program incorporates two two-character fields. For program use, the
user must make very basic menu decisions to begin functions like editing or
adding names, choosing records, or printing. The entry screen is
old-fashioned and cannot be customized or altered. The user-friendly
program is limited, but it does provide effective production of mailing
lists that do not surpass 250 names and that do not duplicate last names;
it requires 64Kbytes of RAM, DOS 1.1 or later, BASIC, and one disk drive.

TEXT:
     Client List
     If your mailing-list needs are very simple, you may have to look no
further. Client List is a BASIC language program suitable for mailing lists
with no more than 250 names. Client List's performance may be limited, but
the program costs only $35, providing no-frills mailing-list management at
a no-frills price.
     Client List is Navic Software's main program. The offspring programs
use most of the same BASIC code but sell at still lower prices and are
single-purpose lists that are less flexible than Client List. The Christmas
card list program, for example, cannot print labels in ZIP code order. List
n Label, another of Client List's spin-offs, is briefly reviewed separately
in this article.
     All you have to do to use Client List is load the BASIC programming
language. Otherwise there are no special installation or configuration
steps. Client List comes with just two pages of documentation. You're told
to load BASIC and start the program. Fortunately, you don't really need
much instruction to run the program. There is no tutorial, but you can
probably survive by following the simple menus and prompts. If you know
that you need very complete written documentation, this software is not for
you.
     When you run Client List, you make very simple menu selections to
start functions such as adding or editing names, selecting records, or
printing. The record-entry screen is a simple vertical list of field names.
You cannot customize or change the entry screen at all. It's primitive, but
it does work. Client List is limited to 250 records. Two coding fields are
available, category and classification. You can sort by either of these
fields, but not both. Client List sorts records by last name automatically,
and you can specify ZIP code sorting when printing labels.
     That's about it. You enter names and addresses and use two fields for
coding. You can print labels in alphabetical or ZIP code order or as sorted
by either of the two sort codes. These limited functions might make it for
some small lists. Limitations are fine when you know what they are; when
you have to discover them on your own, however, limitations and problems
are much more aggravating. The customer-support people at Navic were very
free in admitting their program's shortcomings, but they didn't even know
about one of the problems, which is that you cannot call up a record on the
screen if that person is the second or greater in your file with the same
last name. You can work around the problem by first going to the preceding
record and changing the name temporarily, but you shouldn't have to do
that.
     Client List also truncates entries that are too long. If you type in
more than fits in a field, the last letters just disappear. This can be
pretty dangerous if you don't notice it. Client List sets up a list as one
file with 250 entries, and it will not let you delete individual records.

If you want to get rid of a name, your only alternatives are to replace the name with blanks or to overwrite the information with another person's data.

There is also no way to leave the program gracefully. When you're done working with Client List, you have to break out of the BASIC program by holding down the Ctrl key and tapping the Break key.

You are not able to name files; Client List works with just one file and loads the file itself. Also, you must use capital letters for commands, which is not mentioned in the brief documentation and might be tough to figure out for the beginners for whom this program is intended.

Client List will do your job if your list consists of no more than 250 people, no two of whom have the same last name, and if you can live with the program's limitations. The best things going for Client List are price and simplicity. Since you can find much more serviceable programs for only $15 more, I'd suggest you keep on looking.

Client List
Navic Software
P.O. Box 14727
North Palm Beach, FL. 33408
(305) 627-4132
List Price: $35
Requires: 64K RAM, one disk drive, BASIC, DOS 1.1 or later.

In Short: Client List is an extremely limited BASIC mailing list program that can handle only 250 names. Two two-character fields. Not copy protected.

Data*Easy PC **Ultimate   Mailer**

Data*Easy is a programmer's **mailing - list   manager** . It comes in uncompiled BASIC, so that the programming is easily accessible (in fact, you can exit the program to either BASIC or DOS), and is organized in the kind of linear manner that is probably very comfortable for those used to dealing with software in that manner. However, other users may have trouble.

When you enter Data*Easy, you are introduced to a long list of functions in alphabetical order. Unlike most other **mailing - list managers** , which tend to group functions in some sort of logical fashion, this program simply lists them all alphabetically in one central menu. Although this does put all the editing and printing functions together, new users still must scroll through at least three screens before they have seen all the various choices.

Data*Easy's input screen begins with a system of sort keys and record numbers. Both can be either entered by the user or generated automatically by the program. In the latter case, the record number is simply the next number in line. The sort keys are the first initials of the last- and first-name fields.

Once you have hit return to pass the sort-key field, you are in a 15-character select-codes field into which you can put any type of alphanumeric code you have chosen for identification. Data*Easy includes a unique feature here--when you put a Z in the 11th position, the program automatically drops the ZIP code into the last five positions.

One of the program's nicer characteristics is a 24-character note field that appears at the bottom of the input screen. Each note has its own number and date, and therefore you can have up to 99 notes attached to each entry--one example of Data*Easy's flexibility.

Data*Easy allows you to sort your file on almost any field, up to eight fields. You can also do a variety of select functions, though, in this case, the program encourages you to do your select on less than the full field, since it is faster; however, you can do it either way.

In fact, Data*Easy, Version D, has many versatile features which, if you're thoroughly acquainted with the program, could come in handy. (Versions A through C have fewer features and their prices vary accordingly.) For example, users are encouraged to type names in last-name, first-name order for better sorting; if you don't want your labels to read that way as well, you can reconfigure the program to print the names in "reverse" sequence.

But the fact that you had to go through the trouble of making that change puzzled me: Are there many corporations out there who prefer their mailing labels to read "Doe, John'?

Unfortunately, Data*Easy's many good qualities are clouded by the

program's general awkwardness. You really do have to take the time to explore and experiment with the program before you can use it properly, and some knowledge of BASIC wouldn't hurt either. The folks at Data Consulting Group have a good idea of what functions are needed in a good **mailing - list manager** ; a little research into ergonomics might be in order.

Data*Easy PC **Ultimate Mailer** , Version 2.0
Data Consulting Group
18 Hector Ln.
Novato, CA. 94947
(415) 883-2300

List Price: Version A, $95; Version B, $125; Version C, $150; Version D, $225.

Requires: 64K RAM, one disk drive, BASIC, DOS 2.0 or later (DOS 1.1 version available upon request).

In Short: Data*Easy contains a great many features and a high degree of flexibility, but users may be put off by its general awkwardness. Select code and note field. Copy protected--there is a 50 percent surchargefor non-copy-protected versions.

FastPak Mail

How about a personal guarantee that software will work? FastPak Mail's manual starts with a letter from the president of DHA Systems & Software promising just that. This stance in an industry that usually guarantees nothing is impressive and reassuring. FastPak Mail is a modern program with nice screens and several sophisticated features that make it stand out from some of its older and more sparsely featured competitors. At $79.95, DHA Systems & Software's product deserves a close look for small to moderately large mailing lists. When you register your software the company sends you 1,000 free mailing labels, a nice incentive for users and a good way for DHA Systems & Software to build a list of customers for future updates and other products.

Don't expect to take a long time learning this program. FastPak Mail has on-line, context-sensitive help screens. The help screens combined with comprehensive prompting menus and a good manual are probably all you'll need to get up to speed with the program very quickly.

FastPak Mail will save up to 65,000 records. According to the publisher, however, the sorting routine will work with only about 10,000 names, so you should heed that warning and split your lists if they are very large.

The main component of the program is the FastPak Mail menu. From this place in the program, you choose several of the program's many features or you select a submenu that will take you to another, similar menu that lists more-specific choices. At all times, hitting the Esc key takes you back to the previous menu. Common sense shows very clearly in the design of this program.

To speed data entry, you can configure the program to skip the company field if few of your names include or require company information. Even if it is configured out, you can get back into the company field if you want to save that type of information for selected individuals.

FastPak Mail automatically saves records after every fourth record. A nice feature that can save disk storage space, and mailing costs as well, is a duplicate-entry-checking feature that will display all duplicate names to give you the chance to delete space-wasting copies.

Another nice feature is the pattern search, with which you can make the program search all fields in all records, looking for all or part of a name or text string. So if you know that somewhere buried in your lists is a person or company with the word Frost in its record, you can just specify that the program search for Frost and any record with that particular text string in any field will be selected and displayed.

This facility is particularly helpful for those times when you think you have a record for a company with a certain name but don't know where to find it.

For those times when you need to go out to DOS to find information about a file or disk or to make room on a disk, FastPak Mail includes a DOS utilities function that will let you run particular DOS commands from within the program. This feature is a real time saver.

FastPak Mail will let you choose predesigned label formats and print labels up to 25 across. You can also program custom report formats.

I had no problems at all running FastPak Mail and can find nothing to

complain about. Its intuitive design and many features make it a good choice for most mailing-list jobs.

FastPak Mail, Version 2.0
DHA Systems & Software
832 Jury Ct.
San Jose, CA. 95112
(408) 947-1001
List Price: $79.95
Requires: 256K RAM, one disk drive (two drives recommended), DOS 2.0 or later.

In Short: FastPak Mail is an excellent buy. It has many helpful features and has extensive report customization ability. Reference field for coding. Not copy protected.

Flowmail

Flowmail is a simple, nuts-and-bolts **mailing - list manager** that is both produced and marketed by Flowsoft Custom Programming, which is a one-man operation. As with many programs produced by small companies, Flowmail does its job well but does not contain any of the refinements that can be found in its more substantially supported peers.

The main menu lists your options at the outset. The first, File Management, controls both file creation and update. Once you have named your new file (but before you enter the input facility), you can choose to carry over various information, including address and user coding fields.

The Spartan input screen includes fields for company name, first and last names, two address lines, city, state, ZIP, and phone fields, and fields for user coding labeled Print Codes and Data Line. From this area, you can also do a search on the entry number or last name, or scroll through previous entries.

Flowmail seems to be distrustful of your tendency to delete unnecessarily. During data input, I found that while I could type over mistakes, I could not delete any information. The record-delete function does not really eliminate records --it simply gives them a Delete label so that the program ignores them during printing and listing operations. If you change your mind at any time, you can use the update function to restore the entry.

There are also routines for eliminating duplicate entries, merging files, and creating mail-merge files.

Before you perform any listing functions, you must first sort your file. You have several options here: Flowmail will create index files in alphabetical or numerical order for the ZIP code, company, last name, record number, state, or data line fields.

Two different options support user output. Lists produces a simple columnar report on your screen or printer (you can include either all information or select four fields), while Labels produces a number of basic label types, including options for Rolodex cards and envelopes. Before printing, you are offered several options, including starting and last record number and whether you want condensed or regular type (the default is condensed).

Flowmail is a clean and useful, if limited, product. But considering the sophistication of some of its less expensive peers, Flowsoft may want to reconsider the software's relatively high price of $100. If you want to try it out, you can obtain a free demo disk that self-destructs after 30 days.

Flowmail, Version 2.0
Flowsoft Custom Programming
875 Franklin Rd. #1635
Marietta, GA. 30067
(800) 628-2828, ext. 886; (404) 428-4028
List Price: $100
Requires: 128K RAM, one disk drive, DOS 2.0 or later.

In Short: Flowmail is a simple program that does its job with little fuss and bother. Print codes and data line for coding. Not copy protected.

KeyMailer

KeyMailer from Softkey Software Products is as slick and professional as any **mailing - list manager** on the market today. Unlike many of its competitors, the programming is smooth and well planned, including context-sensitive help files, an easily decipherable menu structure, and superior functionality.

This is obvious in the way in which KeyMailer is organized. Its opening menu is divided into Entry & Editing (for adding new addresses or doing search-and-edits), Maintenance (for deleting and sorting addresses), File Generation (for mail-merge functions), Labels (which is in itself divided into categories for small and large address labels), and a large variety of available list types, including a full address list, a variety of abbreviated formats, and two types of rotary card formats.

The entry (and search-and-edit) screens include both a salutation and a title field, one phone field, a country field, a contact date (which can be automatically generated by the company), and five user-coding fields, labeled comments, identifier, and codes 1, 2, and 3. You can push the F8 function key to "ditto" the previous address and F9 to quickly produce a label or envelope from that specific entry.

KeyMailer has an interesting autoscan feature that, when toggled on, automatically searches for a name as soon as it has been entered into the name field. This not only aids in quick-search functions, but automatically prevents duplicate entries. However, it also slows things up considerably, so that Softkey recommends it be kept off when you are entering long lists of data.

Another powerful search feature involves using the @ wildcard symbol. You can do a search of partial information in a field by preceding the phrase by the @, or, if your memory is really poor, you can use @@, which will search through every field in every record for that particular phrase.

Whenever you choose to print labels, you are first taken to a selection screen where you can select on any of the fields using a variety of variables, including the @ function, fencing (which will select between two values), either/or, or <>. These comparatives are also available for data searches.

Once you have made any selections, the report sequence control allows you to change your key field (providing it has been sorted), report order, or output facility. KeyMailer also includes a special feature called update record processing, which allows you to make global changes to your file.

KeyMailer is an excellent, professional-level **mailing - list manager** . Since Softkey has also recently eliminated one of its few inconvenient qualities--its copy protection --it is that much easier to recommend it for those companies who are looking for a higher-end product.

KeyMailer, Version 3.0
Softkey Software Products Inc.
20626 Black Rd.
Los Gatos, CA. 95030
(416) 598-5033
List Price: $149
Requires: 128K RAM, one disk drive, DOS 2.0 or later.

In Short: An excellent, professional-level **mailing - list manager** for businesses with substantial needs in this area. Five coding fields. Not copy protected.

Label Express

Seymour Papert, the father of Logo, said that just because computers can be used to do something doesn't mean they should. This concept fits the Rolodex, a standard business tool for years. Many microcomputers still share desk space with a Rolodex-brand cardholder. Sure, computers can maintain a list of names, but in order to find someone you have to turn on the computer, start the appropriate program, and then issue the correct commands. If you are trying to find just one name, you can often find it quicker with a Rolodex.

The drawbacks of a Rolodex card file and other noncomputerized methods of storing names are that you can only look up names by the order in which they are stored (usually alphabetically by last name or by company, sometimes by both if you use two cards per person), changes usually require typing or writing a whole new card if you want to keep it neat, and any kind of printing, such as mailing labels or selected lists, requires manually searching for and then retyping the needed information.

So while the Rolodex and its imitators remain the most convenient tools for quickly looking up information about one person (assuming you know where to look), most other tasks involving lists of names are improved by computerization. Many people have both a Rolodex and a computerized name file. Since the Rolodex was there first, in those offices that have only one place where names are kept, that place is most likely to be a Rolodex.

Rolodex Corp. now covers both worlds with Label Express, an excellent mailing-list program that prints name, address, and telephone information on Rolodex cards. Label Express also prints in other formats, including mailing labels and selected lists.

Label Express comes with a terrific manual and incorporates several fairly sophisticated features. At $49.95, it's a sure winner and probably a good way to sell Rolodex cards as well (if I sell you a razor, you'll need to buy blades). You can theoretically use Label Express with any size list, but my technical contact at Rolodex told me it recommends lists of no more than 500 names to maintain adequate sorting speed. When you start a new list you tell the program how big the list will be after all the names are in. The default list size is 500 names.

It's easy to keep multiple lists for different purposes (just as many people keep more than one Rolodex card file). Label Express displays the names of up to ten lists on one disk drive. Actually you can have more than ten lists per disk drive, but only the first ten will show up on the program's list selection screen.

When you enter name and address information with this program, you type it in a screen representation of a mailing label. You have total control of how to use the space, and you are not restricted to specific fields. This method of entry is helpful because information that just won't fit usual formats can be easy to put in if you can type it in anywhere you want on a label. There are separate fields for a reference key (usually last name), ZIP code, and a 10-character selection code, as well as a telephone field and a notes field. The program also keeps track of record creation and modification dates. For entering or editing names, Label Express uses the somewhat standard WordStar cursor movement codes. These codes are a standard used in many other programs, but because they will be new to many people who decide to use this program, there are lessons in the manual specifically covering Label Express's keyboard use. The documentation for Label Express is professional and complete.

HELPFUL HOW-TO APPROACH

Unlike the manuals for several of the programs in this survey, Label Express's has a full index and several appendixes--and even includes a handy quick-reference card. The manual uses a how-to approach to all functions of the program, including merging. When you enter names, Label Express performs a convenient duplicate check using the reference code field contents. If the program signals that you've entered a duplicate record based on the reference code, you can then change the record's contents, delete the record, or save it as is. You can also turn duplicate checking off if you choose.

There is also a "ditto" key capability for entering repetitive information, but unlike some programs that always remember the field contents of the previous record, the design of the ditto feature in Label Express is inconvenient to use for a single record. It's more useful when several records contain the same information in one or more fields.

You can search for names in Label Express in one of two ways: by exact match or by a sound-alike method. The sound-alike procedure works fairly well but requires that the first letter in the search word be the same as in the entered word. With this feature, for example, you could find a record containing the name Centurion by entering Century.

When you print labels, you can specify up to 999 copies. There are several predefined printing formats, including labels, Rolodex cards (of course), listings, envelopes, and badges. You also can design special formats yourself.

While there is a great deal to like about Label Express, there are a few minor points that could bear some improvement. Label Express makes its own subdirectory during installation. The installation instructions give key-by-key prompting, but the process may still be confusing for inexperienced users. If you don't allow Label Express to assign its own subdirectory name, the program just doesn't run correctly. Also, Label Express doesn't get date information from the computer system. Resetting the date is a cute routine using the Plus and Minus keys, but you really shouldn't have to do that. It would be so much easier and efficient if Label Express used the computer system date.

Label Express has the backing of Rolodex Corp. and is listed in many business and office supply catalogs, often next to the ads for Rolodex cards. The company probably sells a lot of copies because of this exposure.

If so, its success is deserved; this program gives you a lot of performance for the price.

Label Express
Rolodex Corp.
245 Secaucus Rd.
Secaucus, NJ. 07094
(201) 349-3939
List Price: $49.95
Requires: 64K RAM, two disk drives, DOS 1.1 or later.

In Short: Label Express is an inexpensive program ;with a great manual and many features. It would be hard to go wrong with this one. Reference key and coding field. Not copy protected.

Label Master

Label Master, from RKS Associates, is one of those programs that restores your faith in the triumph of the underdog. It is a highly efficient, refreshingly simple, and very useful **mailing - list manager** that is distributed through the shareware, pay-if-you-like-it system--whose creator has, in fact, decided to abandon an attempt at traditional marketing in favor of relying on the enthusiasm of his customers.

When you enter Label Master, you are immediately introduced to the main menu, which occupies the top half of the screen, and the entry/edit area, which takes up the bottom half. Label Master's entry forms contain separate last-name and first-name fields and include the usual spaces for company name, full address, and phone numbers, along with a user-coded field labeled Notes.

The menu offers 12 choices: you can choose to add a new record, delete/recall a record, edit or display a record, or scroll to the previous or next record. You can also toggle the index according to either the last name or ZIP code (Label Master maintains both), print out the entry that is currently being displayed, or flip to a notepad facility that has 60 short lines for messages (the message already entered suggests it be used to keep a record of a coding scheme for use in the Notes field).

One of the most interesting features of this program is the way it provides a fail-safe for deletions. When you "delete" an address from your file, it actually becomes "inactive." It is still there, but simply does not appear on any printed lists. You can restore inactive records or delete them fully through the Utilities feature, which, along with Print, is also accessed from the main menu.

The Utilities menu also contains several small services of the kind that may not be absolutely necessary but are extremely helpful to have around. My favorite is a state/ZIP code function against which you can run your address list. Any entries that contain wrong state abbreviations or ZIP codes (it checks the first three digits) will be noted. You can also check for duplicate records, sort your list according to last name, ZIP code, or organization, import or export records, get an entry count, or arrange to address envelopes.

Label Master produces up to four labels across in a variety of sizes. It also produces a columnar report format (termed a Directory) that lists the various entries in a simple but readable manner. The Print menu gives you a wide range of choices for printing out your labels, including a choice of regular or condensed print, whether or not to print the phone numbers and notes, and whether to print by last name or ZIP code order.

In short, Label Master is inexpensive and effortless, and produces neat, well-organized labels. Unless you feel the need for a more sophisticated report format, I would give this excellent shareware program a long, hard look.

Label Master, Version 3.0
RKS Associates
3820 N. Ditmar Rd.
Arlington, VA. 22207
(703) 536-7814
List Price: $35 (shareware).
Requires: 256K RAM, one disk drive, DOS 2.0 or later.

In Short: This excellent shareware program is easy to learn, works quickly and well, and gives more for your money than many more expensive programs. One 30-character note field for coding. Not copy protected.

EDITOR'S CHOICE
. KeyMailer

. Label Master
The **mailing - list managers** covered here tended to cluster at the lower and higher ends of the spectrum, from quick-and-easy, simpler programs to complex, corporate-oriented products.

On the lower end, Label Master is a slick shareware product whose vendor obviously knows what it takes to make software easy to use and highly utilitarian. Although it is, necessarily, somewhat limited in scope, it provides all the features needed (along with a few extras) to enable users to produce clear, well-managed mailing lists and labels. The runner-up, Oxford Mailworks, also provides a nice range of features, together with an excellent on-line help facility which would be ideal for computer-shy employees.

On the upper end of the scale, KeyMailer is a flexible, well-structured product that provides users with many of the features found in more complex database software, including adequate user-coding facilities, a wide range of comparatives for use in selection and sorting, and a complete assortment of label and report formats.

List&Mail
It is always interesting to come across a software product with an original approach. Avery International Co.'s List&Mail approaches the concept of a **mailing - list manager** not as a restricted form of database, but as an entirely unique type of software.

It does this by totally separating the base of names and addresses from its sorting, selecting, and printing functions into four separate programs: address manager, list manager, form manager, and print manager. All addresses are entered into a main listing through the address manager. This listing is your informational base: you can add, delete, or search for entries, but you cannot otherwise manipulate the data.

Once your addresses have all been entered into the main datafile, you then pass on to the list manager. This allows you to create separate sublists with addresses drawn from your main file, using one of two processes: manual or automatic.

In manual mode, you page through your main datafile, indicating to the program each entry you want to be included in your new list. Although this can be a painstaking process, manual lists have one advantage: they can contain new information that is not in the main file.

In automatic mode, you draw your entries directly from the main file by selecting on one or two criteria: for example, all entries that do not have "NY" in the state field, or that have the same user code (List&Mail's input screen includes four one-character "list indicators'). Because this list is totally dependent on its parent file, the information it contains cannot be changed; however, it can be sorted on as many as two fields in either ascending or descending order. New addresses are added to the main entry base, after which you must perform an update function on your automatic list. At that point, you can also change your list's selection criteria.

The form manager sets up the format in which you will output your data. It also contains one of List&Mail's more irritating features: Avery, also a top manufacturer of labels and other printer forms, evidently wished to encourage users to buy its products; hence List&Mail lists Avery's stationery order numbers rather than descriptive phrases to indicate which type of label you can choose to print. Some salesperson may have considered this a clever marketing ploy; I consider it a nuisance.

If none of List&Mail's prepared forms suit your needs, you can adjust an existing format or create a new one by filling out a "form specification" screen through a simple but flexible process that takes little or no programming ability.

There are also a few extra features that add to List&Mail's utility, including a basic word processor that can be used to create business letters and notes, and a very nice Playback feature--similar to those found in many communications programs --that records any series of actions and plays them back. I found that Playback sped through a list update, sort, and print routine in less than half the time it would have taken me to perform the same actions manually.

Avery obviously has its List&Mail **mailing - list manager** targeted at the business community that wants few frills and lots of efficiency. For the most part, it has provided a fine product for the purpose.

List&Mail, Version 1.1

Avery International Co.
777 E. Foothill Blvd.
Azusa, CA. 91702-1358
(818) 969-3311; (800) 423-6518
List Price: $59.95
Requires: 128K RAM, one disk drive, DOS 2.0 or later.
In Short: An efficient and interesting **mailing - list manager**
which includes several handy features not supplied by its competitors,
including a Playback feature and a basic word processor. Four one-character
"list indicators" for coding. Not copy protected.

List n Label

It can's possibly get any simpler than this. List n Label is a
spin-off product of Navic Software's Client List program (also reviewed in
this article), and it, too, will hold only 250 names. It automatically
sorts them in last-name order or by category, but it won't let you sort by
ZIP code or in any other order.

List n Label is a BASIC program that costs only $12, but because of
its limitations I'd suggest you set your sights a bit higher. To give the
program its due, List n Label is easy to use. The toughest part of it is
starting BASIC and loading the program. If you can handle those steps, the
rest of the process is a breeze. There are no other installation steps, no
tutorial, and practically no documentation, since there are just two
sparsely filled pages of instructions for starting the program.

Working with List n Label is just like working with Client List,
except that there's even less to do. Simplicity is nice, but in this case
it's too constraining. Everything about List n Label is already decided for
you. Your 250 names must fit into predetermined fields, including one
category field that lets you enter two character codes. List n Label will
sort by last name or by the category field, but if you want to print your
labels in ZIP code order, forget it.

If names or addresses don't fit into the field sizes, you must
abbreviate. You also cannot print labels more than one label wide.

All command entries have to be in capital letters, and the only way
to leave the program is to hold the Ctrl key and tap the Break key. If you
have two people with the same last name, you'll have a tough time editing
the second one because the searching process will continue to find the
first instance of the name, not the second. If you can remember, and live
with, those limitations, List n Label may be just the program for you.

In sum, List n Label is an inexpensive, barely functional program.

It works, but I'd recommend at least stepping up to its big brother,
Client List, although that program shares most of its limitations.

List n Label
Navic Software
P.O. Box 14727
North Palm Beach, FL. 33408
(305) 627-4132
List Price: $12
Requires: 64K RAM, one disk drive, BASIC, DOS 1.1 or later.
In Short: List n Label is an inadequate mailing list program that
sorts 250 names in last-name order only and prints labels just one wide. It
could be OK for the simplest lists, but most will outgrow this program
rapidly. Twelve character fields for coding. Not copy protected.

List Pro II

List Pro II includes many special-purpose fields and features
that would have little value for many lists but are terrific for customer
tracking. The program is a bit awkward to use and can't be called user
friendly by any means, but it sure has loads of functions. If your customer
listing and tracking needs fit the features and functions of this $295
program, you should grab it and use it. It is possible to use **List Pro**
II with a floppy disk system, but the necessary disk swapping would make
that configuration impractical.

The program files take up almost a full 1 megabyte themselves. **List
Pro** II was designed for use on a hard disk drive system, and that's the
only reasonable way to use it. **List Pro** II's installation routine
creates its own AUTOEXEC.BAT and CONFIG.SYS files.

If you have already created those files yourself, don't worry-- **List
Pro** II changes their names until you finish using the program. The Finish
command will remove **List Pro** II from your hard disk and put back your

original files. It's pretty clear that Professional Publications intends this program to be the only program run on your computer.

List Pro II includes a demonstration that takes you quickly through the program's features. This can hardly be considered a tutorial, however, because you are asked to look up how to accomplish specific steps by referring to the manual. For example, "Use the program Compose Custom Letters to write a letter to one of the customers you added to **List Pro** II." The only way to use Compose Custom Letters is to follow the manual very carefully. **List Pro** II's demonstration/tutorial system is just one step above being told, "Learn it by using it."

The program is also unfriendly to use. Its menu structure requires you to use the Enter key to move down through items. You activate the desired alternative by pressing the Esc key (a reversal of the normal use of this key). If you go past the selection you want, you have to go to another menu to reload the menu you just left. **List Pro** II also insists that you use only capital letters when issuing commands and for filling in many fields.

I found myself out of the program once when trying to print labels. The printer configuration was wrong, and in order to stop the printing I tried the Ctrl-Break key sequence. Printing stopped, all right, and so did the program. All that was left on the screen was the DOS prompt C>. I later learned that there is no way to stop printing once it starts without aborting the program. This is inconvenient.

FEATURES AND FIELDS

And now for the goods news. **List Pro** II has many special features. The Company Configuration function allows you to determine several default settings such as sending compressed type to the printer, converting all entries to uppercase, making some of the code fields required fields, and using a security code. You can set the maximum number of records, the security code itself, drive settings, and up to five optional flag descriptions. You can search records by any or all of the following fields: last name, company, ZIP code, phone number, sequence number, match code, and record number.

The program includes state abbreviation code and ZIP code checking, as well as fields for catalog requests, first order date, and Do Not Mail To, Do Not Rent Name, and Bad Debt fields. Some special functions for customer tracking include fields that will update and figure out the number of orders, number of items ordered, total dollars in orders, average order amount, and date the last catalog was sent. Most **mailing - list managers** will not even allow this many fields, let alone do the figuring for you.

List Pro II includes a line editor that will let you create documents up to 500 lines long. You have limited formatting control over margin widths, justification, and centering. If you set the file extension correctly you can import ASCII files created with other editors as well.

List Pro II is preset for four wide Cheshire-formatted labels. Other report formats are possible but require user customization. The manual includes extensive program documentation and file structure information, as well as a listing of error codes and a complete index.

List Pro II is difficult to use and too much program for many users. If you are in the mail-order business, however, this program is worth thousands of dollars. If you buy it for $295 and then set up special fields, reports, and system defaults to meet your own needs, you will be far ahead. Then you can train someone else to use the program.

List Pro II
Professional Publications Inc.
1250 5th. Ave.
Belmont, CA. 94002
(415) 593-9119
List Price: $295
Requires: 128K RAM, two disk drives (hard drive recommended), DOS 3.0 or later.

In Short: **List Pro** II is a difficult, often awkward program that is loaded with special features for mail-order and other retail customer tracking applications. Five customizable flags for coding. Not copy protected.

Mail-Track-I with Letter Merge

The people who designed Mail-Track-I with Letter Merge put the user first. Mail-Track-I is a very flexible program suitable for small to

medium-size mailing lists of up to 2,500 names. The program is completely menu driven and includes some impressive features, as well as a merging program for form letters. Mail-Track-I is a good value at $49.95.

Sapana Micro Software, Mail-Track-I's publisher, has added several touches to the program's design andoperation that reflect both concern and respect for users. For example, all you have to do to install Mail-Track-I is make backup copies of the disk. When you run the program, it loads into RAM, so you can remove the program disk. You are invited to report bugs to Sapana, in return for which you are promised a replacement program within I week for no additional charge.

When you start Mail-Track-I, you can change the background and foreground colors simply by tapping the Enter key while you're at the main menu. Each of these features alone is convenient; together they reflect a considerate attitude.

The program's manual is designed to work on three levels. Those who hate to read documentation will find a one-page, quick-start overview. For those who read manuals selectively, there is a guide that tells you which sections to look at for particular purposes. Manual hounds can read the whole manual in under an hour, and, except for occasional grammatical errors, it's refreshingly readable. There is no tutorial with Mail-Track-I, but that's probably all right for most parts of the program. The one part I would like to see more help with is merging. A step-by-step tutorial for the Letter Merge feature certainly would be helpful.

The program includes a 34-character message field where you can put notices such as "Attention--Keep This Letter" or whatever you'd like. This feature is very handy. There is also an eight-character coding field that you can use to identify subgroups within your lists. Later on you can print only those entries that match your code pattern. You can also use this feature to build smaller lists from a master list by selecting by codes and outputting matching records to a new file.

Mail-Track-I includes a Dupe Warning Switch that can be turned off. If you are entering many names in the same ZIP code, you'll want to turn the Dupe Warning Switch off because it tests for the same last name, first letter, and ZIP code. Mail-Track-I also lets you enter titles and nicknames in the name field if space allows and gives you a way to use them in custom reporting.

Mail-Track-I maintains lists in ZIP code order automatically. You can sort by any field. A somewhat unusual feature is the ability to have both domestic ZIP and foreign postal codes mixed within the same file. The program uses a comprehensive, helpful label-printing configuration screen that lets you see all of the printing settings for the current label run. This level of control and monitoring is very desirable.

There is a lot to like in Mail-Track-I. I found it to be a feature-laden program that gives very good value for $49.95.

Mail-Track-I with Letter Merge, Version 1.35
Sapana Micro Software
1305 S. Rouse
Pittsburg, KS. 66762
(316) 231-5023
List Price: $49.95
Requires: 128K RAM, one disk drive, DOS 1.1 or later.

In Short: This program is loaded with features and is terrific for lists of up to 2,500 names. Classification code for coding. Not copy protected.

Mail-Track-II with Letter Merge II

Mail-Track-II with Letter Merge II is a hot product. If you can't find the features you need in a **mailing - list   manager** in Mail-Track-II, then you may need a customized program. Mail-Track-II is the big brother of Sapana Micro Software's Mail-Track-I and includes all of its sibling's features, plus much, much more. This powerful product is more than worth its $95 price tag.

Sometimes powerful programs are difficult or awkward to use. Even though Mail-Track-II has many features, it still runs nicely with explanatory menus and prompts. The manual does a good job of explaining the program's various features. You may find that this program lets you do things you never even thought were possible to accomplish with your mailing list. For example, Mail-Track-II includes a software switch for turning on or off the automatic indexing and sorting functions. This feature really

comes in handy when you're entering a lot of names at one time and don't want to wait around for the program to index and sort after each entry.

If you want to use the standard defaults, there are no special steps to install Mail-Track-II. If you want you can customize such settings as colors used, printers, duplicate-entry-checking level, numbers of fields, label formats, sort key fields, and so on. All that's necessary to set the start-up defaults is to use an ASCII line editor to change selected values and entries in the setup files. This easy way to customize default settings is one of the most powerful features in Mail-Track-II. The program comes with several templates for prewritten alternate setups of the program that accommodate different kinds of lists, a helpful touch.

Mail-Track-II is designed for medium-size to fairly large mailing lists. The maximum file size is 32,766 names. There are six levels of duplicate-entry-checking sensitivity, ranging from no checking at all to requiring that all sort keys, first name, initial, and last name be the same before the program alerts you to having a duplicate name on file when you are making a new entry.

Several different report and label formats are included with this program. You can select up to 20 report designs by number, including those you design yourself. The program includes formats for Rolodex cards, name badges and lists. Mail-Track-II also has a facility for sending control characters to your printer for bold printing, italics, or other special effects supported by the printer.

The merging component of Mail-Track-II is beefed up from that in Mail-Track-I to include, in addition to other features, the ability to set default merging entries for specific fields. To aid in data entry or merging capabilities, Mail-Track-II will both import and export comma-delimited ASCII files.

The bottom line is that Mail-Track-II is a tremendous program. For $95 you get a program that will probably meet most of your mailing-list-management needs.

    Mail-Track-II with Letter Merge II, Version 1.21
    Sapana Micro Software
    1305 S. Rouse
    Pittsburg, KS. 66762
    (316) 231-5023
    List Price: $95
    Requires: 256K RAM, one disk drive, DOS 2.0 or later.

In Short: Mail-Track-II is a very powerful, feature-laden program that is quick and fairly easy to use. A good choice. Three coding fields. Not copy protected.

Mailer

You can tell when a program has been designed to meet the needs of its intended market. Mailer, a sturdy program that is easy to use and quite accommodating, is such a well-planned product. Maurizi Associates' program has somewhat limited indexing and custom reporting capabilities, but that should not detract from its solid value. Previously priced at $150, Mailer's new price of $79.95 makes it an attractive choice for mailing-list management.

You don't have to do anything special to start to use Mailer. The only customizing you might want to consider is color. You can use the DOS DEBUG program to change Mailer's colors, but, while this process is explained well in an appendix in the manual, it is difficult for novice users. If changing colors is that important, there should be an internal routine to do it.

Other than color customizing, which most users will ignore anyway, all other features and functions in Mailer are designed with the user in mind. The manual is complete and has a gracious style, the content presented clearly and completely. The manual includes a tutorial section that walks you through all major functions.

When you are actually working with Mailer, all operations and functions are performed via menus and prompt lines. Users sometimes forget to refer to the screen when they are confused, but if you can remember to look at the screen and read the prompts, most of this program's operations will become clear.

Data entry with Mailer has several convenient features. Parameters (the way things are entered) are checked for telephone and ZIP-code entries, and so you can't, for example, tell Mailer that someone's

telephone number is Elm Street. State abbreviations are also verified and converted to uppercase. There is a "ditto" key that will copy the field contents from the previous record, a real timesaving feature when it's as easy to use as it is in this program. Mailer asks you to verify each record's contents, after entry. If you accept the contents the program goes on to the next record. Otherwise you go back to the desired field to make changes. This extra step does slow you down a bit (if you have no errors), but only by one keystroke. The program automatically saves new records after every 16 entries.

RECORD SELECTION

Mailer's capability for record selection is very impressive. You can specify up to 20 criteria for record selection. If you need more than 20 search criteria, you should write your own program. One slight twist is that in order to select on one or more criteria you need to output a separate file, but that isn't much of a drawback.

Mailer also has the ability to search an unsorted file. This feature is a convenient timesaver that lets you search for needed information at any time. Mailer allows you to merge separately created lists, but they must be sorted by name, company, or ZIP code.

When you are importing lists, the source file can only bring in one reference field because that's all Mailer's record structure is designed for, which may be a limitation for some files.

Mailer uses predesigned label formats either one, two, or three across with both field and line trimming. In addition to labels, there are also eight menu-selectable report formats, as well as an alphabetical directory of all names. Mailer also has a nice routine for adding the return address for either single or continuous-feed envelopes.

Mailer can be used for mail-merging with WordStar, NewWord, WordPerfect, Microsoft Word, Volkswriter Deluxe, Spellbinder, Select, and MultiMate. Since Mailer exports ASCII files, other programs can use Mailer names as well.

Mailer does have some shortcomings. These are not problems in execution, just features that the program doesn't include. Mailer does not allow indexing, nor does it have a comprehensive custom reporting facility. The limitation of only one coding field, the reference field, is also somewhat constraining.

In all, Mailer is a good buy. Data entry is fairly simple and foolproof, record retrieval is better than average, and reporting in either label or other preset formats is adequate. Mailer's price/performance ratio is just about right.

Mailer, Version 2.5
Maurizi Associates
1344 Fitch Way
Sacramento, CA. 95864-3031
(916) 486-2993
List Price: $79.95
Requires: 128K RAM, one disk drive, PC-DOS 1.1 or later, MS-DOS 2.0 or later.

In Short: Mailer is a competent mailing-list management program with very good record retrieval capability and a sensible user interface. One reference category for coding. Not copy protected.

Mailing List

Howe Software's Mailing List has been around in various incarnations since 1979. In that time it has been and still is available for CP/M machines and for three generations of TRS-80 computers. The current MS-DOS version (Version 3.0) costs $99.95 and provides generic mailing-list facility with the main features most users care about, except the ability to merge names with text.

While there is no tutorial provided, the program's simplicity and its clear structure make it easy to learn. The on-screen menus and prompts are simple enough so that, combined with the manual, there's not a lot you need to learn. The company does not charge a fee for user support, so registered users can telephone Howe Software's support line for help. There's no toll-free line, however, so it will cost you for the phone call.

Mailing List uses eight predetermined fields and can handle up to 32,767 records. There is a "ditto" key function for making data entry easier. Records are saved after every entry, which protects you somewhat from losing your file with an improper keystroke or because of a power

outage or other problem. You can retrieve records by any field, but you can sort by only one field at a time.

After you type in the field contents, Mailing List redisplays the information in mailing-label format and asks for your confirmation before it saves the record. Since you enter information in a simple vertical field list, this composite display is a helpful way to check a record's contents.

Mailing List uses a predesigned label format but lets you select label sizes. As well as printing labels up to four across, the program will automatically perform both field and line trimming if necessary to make your labels more presentable. In addition to mailing labels, Mailing List includes two other report types that are very helpful: a master index and an envelope-printing function. The current version of Mailing List doesn't allow any mail-merging, which is unfortunate.

Mailing List also will not export or import files of any type. Not being able to export ASCII files for use with other programs severely limits Mailing List's flexibility. If you want to keep a list of your clients, customers, or members and occasionally want to send a somewhat personalized letter, Mailing List won't suffice. You must reenter all names into another program in order to produce form letters.

Mailing List is a mature program with all the bugs weeded out. It runs very well, but its rudimentary user interface and lack of more-sophisticated features make it overpriced at $99.95.

Mailing List, Version 3.0
Howe Software
64 Windmill Rd.
Armonk, NY. 10504-2832
(800) 428-7825, ext. 169; (800) 428-7824, ext. 169 (in Calif.)
List Price: $99.95
Requires: 128K RAM, one disk drive, DOS 2.0 or later.

In Short: Mailing List performs most of the expected functions with some attractive extra features such as automatic envelope addressing. "Key group field" for coding. Not copy protected.

Mailing List I

Alphanetics' Mailing List I maintains up to 25 separate mailing lists on one disk. All information about running the program is on the disk, which is convenient if you don't like manuals but is an aggravation if you prefer paper instructions. Mailing List I's features include several unique functions that make it a good program for handling small mailing lists.

This program is a reasonable buy at $49.95. The program is just a bit tricky to learn at the start, but once you understand it, Mailing List I should be easy to use. Installation of Mailing List I is all done automatically in response to a few user prompts issued from the screen at start-up. The main concern is where the data will be stored. The program makes nice use of color with a very attractive screen.

There is no separate manual for this program. All you get with the program disk is a one-page feature list and a single-page start-up sheet that covers all Alphanetics programs. There are both an on-disk tutorial and an on-line, context-sensitive help-screen system. When you run the tutorial, you have the option of sending all screen output to your printer as well, which is a good idea because you can then put it in a binder and have a manual. Alphanetics undoubtedly has used an on-disk manual to save money, but I'd rather have a real manual.

Mailing List I uses a different tactic from many of the other programs reviewed in this series. You can build up to 25 different mailing lists and then select them from an on-screen menu. This approach is especially convenient if you have to maintain different lists for different purposes or organizations.

A disadvantage of Mailing List I is that you have to tell it in advance how many entries there will be in a given mailing list. Separate mailing lists can be merged, but in no case can a list include more than 2,800 names. The data entry screen is very pleasant to use. In addition to telling you the current drive and filename, date and time are displayed continuously on the screen. You type both first and last names in the name field, and the program finds the last name and uses it for the automatic sort field. If you want, you can override this designation and enter your own choice of contents in the sort field. There are also fields for an attention line, a selection code and comment, and a field that records the date the name was entered.

One of the program's most powerful features is the ability to sort a mailing list by any field. You cannot customize any report formats, but those that exist are selected from a menu and include printing up to four labels wide. You can select label sizes, and the program includes both field and line trimming. Up to 999 copies of an individual label can be printed. Mailing List I has no text-merging capability.

Mailing List I is a good program for someone who maintains a number of small mailing lists. Its merging and reporting limitations make it difficult to recommend for larger applications, but the program includes several admirable features for storing and finding names.

Mailing List I, Version 3.2
Alphanetics
P.O. Box 339
Forestville, CA. 95436
(800) 321-5346; (707) 887-7237 (in Calif.)
List Price: $49.95
Requires: 128K RAM, one disk drive, DOS 2.1 or later.

In Short: Mailing List I is especially good for people who need to keep several shorter lists. It has several excellent features but will only work with small lists of up to 2,800 names. Not copy protected.

MaiList

MaiList is obviously meant for serious business. Its entry screens give room for a great deal of data, without any frills, and it allows for a wide margin of sort and selection criteria. However, it also has a few ways of making things unnecessarily difficult, and they get in the way of totally smooth operation.

MaiList organizes its entries through an "account identifier," which is made up of three separate factors: a two-character user-determined Executive Code, the entry number (which is automatically generated by the program), and another two-character Subcategory number. The Executive Code is required, and the program will not take you to the entry screen without it. Although this might help MaiList organize its entries, I considered it a definite hindrance.

The MaiList Customer Maintenance (entry) file allows you to enter a great deal of information. It leads off with the various identification fields, including name, company, and account identifier. After that, you can use two address fields, both of which have separate phone and salutation fields. Finally, there are a variety of two-character coding fields, including one labeled "Industry," four for service codes, one for occupation, and a final, 15-character field entitled Special Codes. Like several of its peers, MaiList provides these opportunities for coding under the assumption that you will remember all your various coding strategies; no provision is made for a note or reminder field.

When you want to create labels, you get the Customer Labels screen, which gives you your sort and selection options. You can choose to order your list by account number, last name, company, city, state, or ZIP code; you choose to run either your primary or secondary address. You can also select by all the various coding fields that are provided.

MaiList's search or "lookup" facility is a bit awkward. If you want to change an entry, you must be able to specify its "account identifier." If you don't know it, you can do a lookup, which

allows you to specify up to five letters of the person's name or company name. It then lists the first name that suits the criteria, along with the next several names on your list, and invites you to enter the now-exhibited account number. Even this identification aid isn't made available if you want to delete an entry; you must know its number first.

MaiList's report formats are all 132 columns across, and so you must enter input in compressed type. You can sort it according to account identifier, last name, company, or ZIP code sequence. You can select on these or any of the coding fields, and you can also select either a full or partial listing. You'll find that labels work in much the same way.

Potential users should also be aware that this is one of those fragile programs that have "corruptible" files. In other words, if you lose power or reboot while in the add, change, or delete modes, you can badly damage your files. In this event, MaiList has a reconstruct utility.

MaiList's allowance for multiple-user coding makes it ideal for users who need to be able to subdivide their listings into a large number of different categories; and MaiList's ability to use more than one file is

also a helpful factor. However, those who do not need such an elaborate coding system would probably find MaiList less useful than some of its friendlier peers.

MaiList I, Version 1.1
Alembic Computer Services Inc.
1306 E. Main St. Suite LL
Mesa, AZ. 85203
(602) 962-8010
List Price: $59.95
Requires: 192K RAM, one disk drive, DOS 2.1 or later.

In Short: MaiList is an excellent program for companies that need a large variety of coding facilities; others may find its insistence on an "account identifier" an avoidable nuisance. Account number with two two-digit fields for coding. Not copy protected.

Mailtrak

TCI Software's Mailtrak is a nicely efficient **mailing - list manager** that may not be quite as polished as some other products reviewed here, but shows a great deal of foresight into customer needs.

Although the product is titled Mailtrak, it is actually made up of several programs: Mailset, which sets the programs parameters; Mailtrak, which is the main entry and editing program; Mailsort, which creates user-chosen indexes; and Mailout, which handles data output.

Mailtrak's entry file gives users more fields than do many similar programs. The input screen not only includes the usual first-name, last-name, and address fields, but also contains two phone number fields, a country code field that automatically drops the name of the associated country into the printed address, and nine three-character numerical coding fields. These include five fields designated Mail Code, which are titled by the user, and four Act. Code fields, which come with associated date fields. Unfortunately, while it is very handy to have all those opportunities to code entries, Mailtrak has no provision to remind users of what their codes mean, a situation not helped by the numbers-only format. Some kind of note or help screen in this regard would be helpful.

Besides a flexible label print function, Mailout gives you a choice of two report formats: a complete listing or a nicely planned telephone list that allows you to choose whether to include a full address, both phone numbers, or a title. Its label function gives users a variety of choices, including number of lines, whether to include record or phone numbers, the number of copies, etc. You can also type in a short message. Although the program will not automatically skip unused address lines, you can decide which lines you wish printed by entering the appropriate line numbers in a special "line order" area.

It also proves flexible in the area of sorts and selects. When you run your file through the Mailsort program, you are actually creating a second index for the file that has been sorted by up to five fields. Thereafter, you can choose to display or print your file in either entry or sort order. You have considerable latitude in selections: you can choose to select on first name, last name, city, state, ZIP code, country, or phone area code (or a combination of these) on a greater-than or less-than (but not equal-to) basis.

Mailtrak does have a few small bugs, most of them attributable to its lack of polish. For example, on several of the select screens, the cursor keys will produce letters, and it is possible to inadvertently erase the on-screen formatting of the phone fields (although this does not affect the printouts). In addition, I was not extraordinarily fond of the entry deletion facility, which simply marks an entry as deleted and never really removes it.

However, Mailtrak is, overall, a rather nice program. It should be especially attractive to those with smaller systems, since it only needs 64K bytes of RAM for floppy disk drive machines and 128K RAM for PC-XTs, but its flexibility and response to user needs should recommend it to a wide audience.

Mailtrak, Version 1.14
TCI Software
6107 W. Mill Road
Flourtown, PA. 19031
(215) 836-1406
List Price: $65

Requires: 64K RAM for IBM PCs, 128K RAM for IBM/XTs; one disk drive, DOS 1.1 or later.

In Short: A well-planned **mailing - list manager** with enough facilities to recommend it to most small business users. Change of names and sending of first names allowed in coding. Not copy protected.

MBS Mailing Label Program

If one of the justifications for **mailing - list managers** is their ease of use, then the MBS Mailing Label Program from MBS Software doesn't quite make the grade.

This software package is extremely versatile and can be adjusted to suit quite a number of user needs. However, if you intend to give it to a computer novice simply to enter data, you may want to spend a little time with it yourself first.

MBS comes with two disks: a setup disk, which runs your computer through a preparatory procedure, and the main system disk. The first time you start the program, it runs you through a quick file that configures the program for your hardware setup.

The MBS input screen must be one of the most complete that I've come across. It automatically indexes on a primary and secondary name field (if you want to index on a company name, you can put it in the primary field). Other available fields include a designation field (for titles such as Dr. or Mr.), a field for title or contact name, two phone fields, and a separate field for typing in the name that will appear in the first line of the label. Besides the usual address fields, you'll also find a long note field for remarks, a "type of address" code (for country codes), and three two-character user coding files.

Once you have typed in your entry, MBS takes you through several checkpoints along the way--enough to become irritating. It not only stops you after you've added the two sort names to ask if you're sure you've entered the right information, but it also takes you through three more "are you sure?'--type questions once you've hit the end of the entry screen.

The program's elaborate method of selecting entries to print also takes a bit of getting used to. Once you've gotten past the rather confusing screen setup, MBS allows you a large selection of comparative criteria, including equals, not-equals, and greater-than/less-than.

You also have a great deal of latitude when printing out labels or reports, including creating new formats, changing existing criteria, and recalling the most recently used selection criteria. However, unless your needs are satisfied by MBS's preprogrammed formats, you will have to go through the manual very carefully before you can put together your own.

MBS's major advantage is that you can change anything in the program--including entry screens, report formats, and help messages--using the program's query language. Although this gives the program as much flexibility as anyone would want, it also increases the difficulty factor. This is definitely not one of those programs that you can just slip into the disk drive and run--it takes a bit of work and learning time, and you've got to be prepared to spend that time to take full advantage of the program.

MBS Mailing Label Program, Version 3.0
MBS Software
12729 NE Hassalo St.
Portland, OR. 97230
(503) 256-0130
List Price: $119; with merge and print facility, $149.
Requires: 256K RAM, two disk drives, DOS 2.0 or later.

In Short: MBS is a very complex program that can offer ;users a great deal of flexibility in their mailing-list management, assuming they want to take the time to learn it. Four two-character fields for coding. Not copy protected.

NamePro

Business needs can vary, depending on whether you are part of a large, international corporation, a national firm of several hundred employees, or a small, local concern. NamePro is a clear, easy-to-understand **mailing - list manager** that is ideal for those in the last category.

In fact, NamePro's main purpose is to produce a portable address list that will furnish sorted name, phone number, address, and comment listings

for a small, pocket-sized notebook. As a result, it is somewhat limited in scope--NamePro creates only one data file, which holds up to 1,000 entries and assumes that your data is on the same disk drive with the program.

The main menu is set up in a clear, easy-to-understand manner. The numbered data functions include add, change, delete, inquire, model (which provides a "ditto" function and also allows you to create simple templates), and print. You can also order up a 19-screen help facility, as well as handy listings of state ZIP codes and telephone area codes. The function keys are put to use predominantly as help keys; they are listed on the right side of the screen and are associated with similarly numbered mailing-list tasks. For example, the F1 key will call up a help screen for task number 1: Add.

The program gives you the choice of entering your data in three different formats: personal, business, and notecard. There are very few differences between the first two: a personal entry has separate last-name and first-name fields, using the former as the key field, while a business entry has a distinct key field and a single name field. Otherwise, they both share three address fields, one phone number field, an eight-character category field (that can be used to select on), a re-sort field (that can contain information that you may alternatively wish to sort on, such as a ZIP code), and four comment fields. The notecard format contains key, category, and re-sort fields, along with seven comment lines. It is mainly useful as a user-created help file--for example, a listing of user codes that will be printed out at the end of a file can be created here.

The delete, change, or inquire functions work in a nicely instinctual fashion. When you choose any of these services, you are given a selection menu that lets you find the desired records by a variety of keys, including last name, whole or partial key words, or the category code. You can also choose to see separate listings of personal, business, or notecard entries, or combinations of these.

The printing function works equally well. There is a large enough variety in either the label, address book, or single-sheet formats to satisfy most user needs, and you can select on either category codes or entry formats.

Unfortunately, NamePro's limited capacity restricts it to the category of personal, or perhaps small-business, software. However, manufacturers of more extensive **mailing - list managers** could take a few lessons from this product on how to present a neat, well-organized package.

NamePro, Version 2.3
Computer Management Corp.
2424 Exbourne Ct.
Walnut Creek, CA. 94596
(800) 443-0100, ext. 158; (415) 930-8075
List Price: $29.95
Requires: 128K RAM, one disk drive, DOS 2.1 or later.

In Short: A very clear, well-organized **mailing - list manager** that includes a pocket-sized address book, but that is too limited for serious business use. Several comment lines, one category and two resort fields for coding. Not copy protected.

Oxford Mailworks

Oxford Mailworks is an impressive combination of sophisticated graphics display and efficient mailing-list management. In fact, its screen presentation is probably the best of all the programs in this survey and adds immeasurably to its ease of use.

Esselte Pendaflex Corp. is so confident of the program's ease of use that it does not include a printed manual with its disk, but simply encloses a card that explains how to copy and start the program. Instructions are obtainable beginning from the first screen, where you have the choice of entering the program or going through the instructions and into each segment of the program. It even includes a tree directory to let you know where you are in the program. (If you really are helpless without a manual on your desk, there is an option to print out the manual.)

The main entry/search screen is nicely organized. User data is contained within two framed areas. The first contains basic address information, headed off by the sort line, in which a last-name, first-name convention is followed. It is followed by three address lines (the first of which contains the name as it should appear on your listing), and separate

city, state, and ZIP fields. The second area includes phone and comment fields, an "action date" field, and four 10-character keyword lines.

Meanwhile, the upper-right-hand side of the screen contains information such as the date, filename, date of last edit, and number of records. Along the bottom of the screen is a menu of available functions, most of which are accessed by hitting single keys.

You can search on several fields, including the sort field, city, state, ZIP code, phone, action date, and a keyword.

The Oxford Mailworks list of printout forms is one of the most complete available. Thirty-four in all, they include continuous labels of various sizes, clear labels, photocopy sheets, envelopes, mailing labels, name badges, file cards, postcards (including automatic change-of-address forms that print your old and new address, or a common message), self-mailers, two types of summary listings (one condensed, the other full), and a user-defined form that will print one-across.

The printing process takes you through three steps: form, setup, and print. First, you pick which type of form you want (it automatically defaults to the last type used); then you may choose a specific setup for that form--for example, single or double spacing, which lines to print, whether or not to print a return address or a common message, and whether you want to set it up for bulk mailing.

Oxford Mailworks is an impressive piece of software. One of the main reasons for choosing a **mailing - list manager** over a database is to be able to dive in, enter your data, and print it out in an appropriate format with little or no learning period; this package fulfills these criteria admirably.

Oxford Mailworks, Version 2.2
Esselte Pendaflex Corp.
71 Clinton Rd.
Garden City, NY. 11530
(516) 741-3200
List Price: $49.95
Requires: 256K RAM, one disk drive, DOS 2.1 or later.

In Short: A well-organized and versatile product which provides users with a variety of easily accessible label and report formats. One comment, two four-keyword fields for coding. Not copy protected.

Super Base and Super Mail

PMC Software's two mailing-list management programs, Super Base and Super Mail, are good examples of the type of modest software products that are still being produced by small independent software companies. As such, they are solid programs with some limitations that may inhibit their use by larger firms.

Super Base, the more complex of the two, is geared toward the needs of a sales staff, but is flexible enough for most uses. Its entry screen contains fields for company name, first and last name, address, phone, dates of last purchase and last mailing, and alternative billing address. There is also a contact field and a terms field; the latter can be used for any type of user coding. Super Mail is much more limited and contains only fields for company name, first and last name, and mailing address. It doesn't even allow for a phone number field, which is unusual even for simple **mailing - list managers** .

Both products also contain account number fields, which are considered required fields. The account number is entered manually by the user before the entry screen appears, which can slow your entry speed considerably while you try to remember which account number you're up to. However, according to PMC Software, a new version of the program that may already be out will not require the account number and will also have the ability to generate it automatically.

Most of the functions in each program are accessed from the main menu. You can choose to add, find, change, or deletean entry, generate a printed list or mailing labels, create or change a password, merge names with a word processor, or browse. This last is the easiest way to find information, since it allows you to search for an entry by all or part of a last name, city, state, ZIP code, or terms (the user-coded field). In fact, it is the only way to find any entry if you can't remember the account number. Thus, if you want to change or delete a name and can remember only that the man's last name is Smithers, you must first find it using Browse, then go back to the main menu and enter the correct number.

The process of printing out a customer listing is very cut and dried: the listing is automatically generated in last-name order and immediately printed without much fuss. Super Base allows you more leeway in selecting which labels you wish to print. From the main menu, you can choose to print entries by selecting specific ZIP codes, terms, or customer activity. The latter allows you to choose entries with filled or blank purchase date fields, or with specific purchase dates or mailing dates. Super Mail is again more limited here, printing only mailing labels in their entirety or by selected ZIP code.

Super Base and its companion include a small extra facility: a little RAM-based notepad that appears in the upper-right-hand corner of the screen. It's a nice idea, but it doesn't work very well: the note takes a bite out of the entry screen when it is invoked, and the cursor tends to get lost if you try to type past the lower border of the notepad.

Of course, it would be unfair to expect highly sophisticated performance from software that costs $25 and $35, respectively. When that irritating account number has been eliminated, the two programs may well be inexpensive alternatives for those with limited needs.

Super Base, Version 2.6
Super Mail, Version 1.0
PMC Software
100 E. Second St.
Mineola, NY. 11501
(800) DIAL-PMC; (516) 294-1400
List Price: Super Base, $35; Super Main, $25.
Requires: 256K RAM, one disk drive, DOS 2.1 or later.

In Short: These rather limited products offer reasonable efficient mailing-list facilities for low cost. Super Base has a 10-character field for coding. Not copy protected.

Super Mailing List

Look--up at the screen. It's a procedure . . . it's a routine . . . no, it's Computer Solutions' Super Mailing List, which, disguised as a mild-mannered application developed in BASIC, is able to select and sort records any way you want it to. Super Mailing List gives the appearance of having been developed by a hobbyist, but for the list price of $14.95, you can hardly go wrong.

Several of its features would be appreciated in some of the more-expensive programs. Super Mailing List is designed to run on a floppy disk computer system, although you can install it in a hard disk drive subdirectory. With floppy disks you need first to format a bootable disk and then copy the supplied program files as well as the necessary BASIC program files onto the disk. Then when you start the computer with the Super Mailing List "working" disk in drive A:, the program boots automatically.

To use Super Mailing List with a hard disk drive you should be sure that your start-up path includes access to BASIC and then work with the program's files all loaded in their own subdirectory. If you issue the command AUTOEXEC.BAT in that subdirectory, Super Mailing List will start automatically. All you need to do to configure Super Mailing List is to tell the program which is your data disk.

Super Mailing List comes with nine typed pages of documentation. If the manual were fleshed out a bit with illustrations, the content presented would probably take up 25 to 30 pages in a fancier manual. It is reasonably complete, limiting itself for the most part to the major functions and spending some time with the conditional query language.

Super Mailing List's entry screen lists the fields vertically. In addition to the expected fields for name, address, city, state, ZIP code and phone, there are also a company field and a greeting field. The greeting field is used to store a preferred salutation for your letters.

The program includes eight coding, or "flag," fields, labeled Flag1, Flag2, and so on up to Flag8. You can use these fields to select records with Super Mailing List's conditional query language, which uses And, Or and Not relationships. You can then sort selected records by any field. This level of selecting and sorting is very powerful in any level program. The price you pay for the feature is figuring out how to do it all. The program prompts you fairly well, but most users will probably have to practice to get it right. Still, this is an admirable feature in a $14.95 program. In addition to using the flag fields, you can search by any field

for any data, a helpful level of searching flexibility.

When you run the program, you select all functions by typing single-letter commands chosen from a simple horizontal menu displayed on the bottom of the screen. Printing options are limited. You are basically limited to printing the current screen or standard 3 1/2 by 15/16-inch mailing-labels one across ("one-up'). Super Mailing List runs well but doesn't want to let you go. You have to hit the Enter key six times in response to program prompts before it finally lets you out. On the way out you have to see a list of Computer Solutions' other current products. That's irritating.

I had no major problems running Super Mailing List. Its user interface has limitations, but it gives the best price performance of all the programs I reviewed in this series. If you're in the market for a mailing list and have the time to do some research, I'd suggest that you buy this program and try it out. Even if it doesn't meet all of your needs, you can learn a good deal about searching and sorting. Since it includes the ability to output an ASCII merge file, you should be able to import entered data if you later find you need to use a fancier program.

Super Mailing List, Version 2.0
Computer Solutions
P.O. Box 354
Mason, MI. 48854
(517) 628-2943
List Price: $14.95
Requires: 64K RAM, one disk drive, DOS 2.0 or later.

In Short: Super Mailing List is a buy at $14.95. It includes selection and sorting abilities that should be the envy of other programs. Eight flag fields for coding. Not copy protected.

Traveling SideKick

Traveling SideKick, from Borland International, is possibly the first truly yuppie software package. It comes with one of those oversized appointment books that have become all the rage, with little pockets for business cards and calculator and separate sections for your schedule, addresses, receipts, and any other notes you need. But although the emphasis of the package is on its ability to generate address and appointment lists formatted especially to fold into the binder, Traveling SideKick also contains an efficient and smoothly operating label generator.

Traveling SideKick works through a series of pull-down menus. The opening screen offers three categories to choose from: Addresses, Engagements, and Setup. Addresses allows you to enter, find, change, and remove addresses, sort according to name, company, or ZIP code, and generate either phone or address listings (for the appointment book) or mailing labels. Engagements allows you to use the program's calendar facility. Setup lets you change the default setup--for example, you can change your default files, the number of labels across, and the number of lines down per label (6, 9 or 12). You can also change your printer format to specify near-letter-quality or compressed type, but you have to know the control codes (those for the Epson or IBM are included in Borland's manual).

Traveling SideKick's data entry screen is divided into two windows. The top window contains the entry form, which includes fields for initials, name, company, address, country, one phone field, a free field titled Remarks, and an automatic date field. The bottom exhibits a shortened list of existing entries. If you want to view an entire entry, you can highlight the shortened form and all the appropriate information is automatically displayed on top; at this point you can make any necessary changes. You can also find information by doing a search on any of the fields.

Unlike many of the other **mailing   list   managers** , Traveling SideKick includes a very efficient conversion program that allowed me to pick up entries from either a fixed field or character-delineated file, specify which fields should be picked up, then enter my 25-name list with no fuss whatever. There was also very little bother involved in printing out labels. Once you have chosen Labels from the pull-down Addresses menu, you have a choice of sending the file to the printer, to the screen, or to a disk file. At this point, you can also select on any fields (on an "equals" basis only). You can print up to four labels across in normal type.

The program gives you three sort choices: by name, ZIP code, or

company. This is where Traveling SideKick presents a problem for business users: instead of separate first- or last-name fields, it contains only a single name field. Thus, the only way you can sort according to last name is if you type your entries in a last-name, first-name format; your labels will also be printed in that format. Additionally, since both the phone and address lists are formatted for the Traveling SideKick binder, they are not really suitable for any type of independent reports. And Version 100A is limited to 310 address entries; however, the next version (which should have been out by January 1987) will be limited only by RAM.

If you simply need a quick and easy way to enter addresses and produce labels (and especially if you like the idea of using your computer as a personal secretary), Traveling SideKick is probably worth a look.

Traveling SideKick, Version 100A
Borland International Inc.
4585 Scotts Valley Dr.
Scotts Valley, CA. 95066
(800) 255-8008; (800) 742-1133 (in Calif.)
List Price: $69.95
Requires: 256K RAM, one disk drive, DOS 2.0 or later.

In Short: Traveling SideKick is a good, efficient **mailing - list manager** for those whose needs are limited to address labels or who want to take advantage of its calendar facility. Remarks column for coding. Not copy protected.

CAPTIONS: Fact file: Client List. (table)

SPECIAL FEATURES: illustration; table
COMPANY NAMES: Navic Software--Computer programs
DESCRIPTORS: Mailing List; Evaluation; DBMS; Software Packages; Mail Preparation; Office Automation
SIC CODES: 7372 Prepackaged software
TRADE NAMES: Client List (Data base management system)--evaluation
OPERATING PLATFORM: MSDOS
PROGRAMMING LANGUAGE: BASIC
FILE SEGMENT: CD File 275

☎ 3034698502   ASCENT ACCTG SVC   08/09/04 15:02   P.01

8-11-04

AF/36?

IFW

FEE TRANSMITTAL
for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	($)	330

Complete if Known

Application Number	09/525,491
Filing Date	15 Mar 2000
First Named Inventor	Mary Thomasma Tackbary
Examiner Name	Pond, Robert M.
Art Unit	3625
Attorney Docket No.	013212.0118N3US (Formerly 9203/031c3)

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number	50-1848
Deposit Account Name	Patton Boggs LLP

The Director is authorized to: *(check all that apply)*
☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Fee ($)	Small Entity Fee Code	Fee ($)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)   ($) 0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	-20 ** =	0	X	= 0
Independent Claims	-3 ** =	0	X	= 0
Multiple Dependent			X	= 0

Large Entity Fee Code	Fee ($)	Small Entity Fee Code	Fee ($)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)   ($) 0

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Fee ($)	Small Entity Fee Code	Fee ($)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	330
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,330	2453	665	Petition to revive – unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

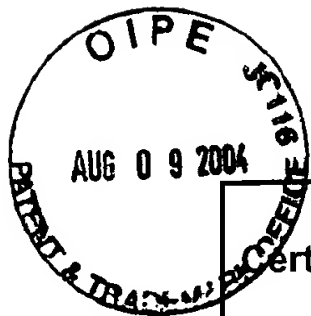*Reduced by Basic Filing Fee Paid   SUBTOTAL (3)   ($) 330

SUBMITTED BY					Complete (if applicable)	
Name (Print/Type)	James M. Graziano	Registration No. (Attorney/Agent)	28,300	Telephone	303-894-6113	
Signature	*[signature]*			Date	August 9, 2004	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Certificate of Mailing under 37 CFR 1.10

Application Number	09/525,491
Filing Date	15 Mar 2000
First Named Inventor	Mary Thomasma Tackbary
Examiner Name	Pond, Robert M.
Attorney Docket Number	013212.0118N3US (Formerly 9203/031c3)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage in an Express Mail envelope bearing label number: EV389084387US addressed to:

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> P.O. Box 1450
> Alexandria, VA 22313-1450

On August 9, 2004.
(Date)

Elaine C. VonSpreckelsen
Signature

Elaine C. VonSpreckelsen
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

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1.	Fee Transmittal Form PTO/SB/17 (2 for a total of 2 pages)
2.	Appellant's Appeal Brief, with references (original + 3 copies) (482 pages)
3.	Return Receipt Postcard

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